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A Mlle. Rogues
from her Father
E. Corbière.

942.06
C54
1717
Supp.

Mr. Vertue
1705

THE

Lord *Clarendon's*

HISTORY

OF THE

Grand Rebellion

COMPLEATED.

CONTAINING,

I. The HEADS of the Great Men on both Sides, whose Characters he gives, (being 85 in Number) Drawn from Original Paintings of *Vandike*, *A. More*, *Dobson*, *Corn. Johnson*, and other Eminent Painters. And Engraven by Mr. *Vertue*, Mr. *Vandegutcht*, Mr. *Sturt*, &c.

II. The Tracts, Speeches, Letters, Memorials, *&c.* mention'd in the said History, are here at large, and referr'd to the *Page* therein. With his Lordship's Life.

III. Three Maps, *viz.* 1. *South Britain* (with the Tract of King *Charles* the Second's miraculous Escape from *Worcester.*) 2. *North Britain.* 3. *Ireland.*

IV. Two Tables, one of the Heads, and who Painted and Engrav'd them. The other, of all the Battles that was fought; both referring to the Pages in the aforesaid History.

The Second Edition, with the Addition of Four Plates of Battles, and Two Sheets describing them, &c.

Useful for all that now buy the same, or had it Bound up before those Heads, *&c.* were Engrav'd.

LONDON:
Printed for JOHN NICHOLSON at the *King's-Arms* in *Little-Britain.* M DCC XVII.

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THE PREFACE.

WE here present you with an Additional Volume to the Lord CLARENDON's *Admirable History: The Reason of our doing it was,* First, *Many Gentlemen enquir'd after the Papers mention'd in the said History, which were not to be procur'd for any Money.*

Secondly, *We having, by the Means of Friends, and by Purchase, got into our Hands all that are mention'd in any Library-*

Catalogue, (from which Publick ones, we was forced to transcribe several) or that we could any where meet with, We resolved to publish this Seventh Volume, *which is certainly a very great Illustration to the aforesaid History.*

Thirdly, *To render it as Compleat as possible, We have got the Heads of all those of Eminency, who were for or against His Majesty; All done from Original Paintings; as appears by the Names of the Masters; which you have incerted in the Catalogue, and Engraved by* Mr. Vertue, Mr. Sturt, Mr. Vandegutcht, *and others the very best Masters; which was a very great Expence to the Undertaker; many of the Originals lying far distant from* London, *and a Person was sent on purpose to draw them. These great Charges made the Impression of this small Volume amount to above Five Hundred Pounds.*

Fourthly, *You have here Three Correct Maps, to shew the Situation of those Places where the most Material Actions were fatally Deci-*

Decided; referring to the ſeveral Pages in the Lord CLARENDON's *Hiſtory, where the ſame are related: And in that of* South-Britain *have drawn a Red Line, that the Reader thereby may be readily Informed through how many Counties King* CHARLES *the Second paſt Undiſcovered in his Eſcape from* Worceſter; *in which dangerous Fatigue, nothing but Divine Providence could have Supported and Preſerved him, from the Inveterate Malice of his Enemies.*

Laſtly, *To this Second Edition are added ſeveral Tracts, and Four New large Cuts of Battles,* &c. *all done from Original Paintings, made by the beſt Artiſts at that Time; For there is nothing in this Volume Imaginary; but both the Heads and Tracts are to be juſtified by the beſt Authorities, which are quoted throughout, and referr'd to each Page in the Lord* CLARENDON's *Octavo Edition. This ſmall Addenda of Two Sheets, with the Cuts, coſt near Thirty Pounds the whole Charge.*

A very small Number are Printed on Large Paper, to oblige those that have formerly bought, or now buy the Large Paper of that History in Six Volumes 8vo. *Price* 15s. *well Bound.*



How to place the Heads, &c. in the Lord CLARENDON's Hiſtory in 8o.

Note, (*Vand.*) ſtands for Mr. *Vandegutcht*, the Engraver who did thoſe. (*Vert.*) for Mr. *Vertue*. The other Engravers their Names are at length. Thoſe with a Star before them were Painted by *Vandike*. All the reſt of the Heads that have no Star, you'll ſee where the Original Paintings are to be ſeen, under them.

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THE

SEVERAL

ORIGINAL PAPERS

Which the

L^d Clarendon

Refers to, here Printed at large.

Some Account of ARMINIUS, *and that Controverſy.*

JACOBUS *ARMINIUS* was born at *Oudewater* upon the *Yſſel*, a Town of *Holland*, *Anno* 1560. He was ſometime *Beza*'s Scholar at *Geneva*. He travel'd to *Padua* to hear *Zabarella*, Profeſſor of Philoſophy there. Thence he return'd to *Amſterdam*, where he was made a Miniſter; and ſome time after Divinity Profeſſor at *Leyden*: Here it was that he ſet up that which ſome People call *New Doctrine*, concerning Predeſtination, tho' it had been held before by *Melanchthon*, *Nicolaus Heminius*, and many other Divines. The occaſion was this: *Martin Lydius*, Profeſſor of Divinity at *Franeker*, judged him a proper Perſon to anſwer a Writing of ſome Miniſters of *Delft*, who oppoſed *Beza*'s Doctrine of Predeſtination. *Arminius* undertook it; but as he examin'd and weigh'd the Reaſons on both Sides, he went over to the Opinion which he ſhould have confuted, and even ſome Lengths farther than the Miniſters of *Delft*. He held, That Predeſtination did not conſiſt in any abſolute, irreſpective, eternal Decree of ſaving ſome Perſons; which was *Beza*'s Opinion: Neither upon the Suppoſition of *Adam*'s Fall, to ſave ſome particular Perſons, without any antecedent reſpect to our Saviour, as the Brethren of *Delft* believed. But his Scheme of Predeſtination was, That all thoſe were predeſtinated to be ſaved, who be-

Lord Clar. *Vol.* I. *Pag.* 92.

ing in a lapſed Condition, ſhould reſign themſelves to the Call of God, believe in our Saviour, and live up to the Terms of the Goſpel. He publiſhed ſeveral Tracts to defend his Opinion, as, *Declaratio Jacobi Arminii*; *Examen Libelli Perkenſii de Prædeſtinationis modo & ordine: Analyſis cap. 9. ad Romanos: Diſſertatio de vero ſenſu cap. 7. ad Romanos*, &c. He was brought into Trouble for this Opinion at *Amſterdam*, where he had been a Miniſter Fifteen Years; but the Authority of ſome Great Men, and his own eloquent Preaching ſupported him. He was ſummon'd ſeveral times to the *Hague*, and went thither to give an Account of his Doctrine. He died in 1609, in the 49th Year of his Age. He was a Perſon of conſiderable Learning, very regular in his Life, and obliging in his Converſation. Afterwards his Doctrine was condemn'd in the Synod of *Dort*, and ſome of the principal Patrons of it ſeized, among whom *John Barnevelt*, Penſioner of *Holland*, was put to Death, and *Hugh Grotius* was impriſon'd in the Caſtle of *Lovenſtein*, where a great many other *Arminian* Miniſters were confined.

The firſt Man who was publickly accuſed here in *England* for being an *Arminian*, was Mr. *Richard Mountague*, Canon of *Windſor*, and Fellow of *Eaton*, Rector of *Stamford Rivers*, and Chaplain in Ordinary to King *Charles* I. In the 21ſt Year of King *James* I. he publiſhed a Book call'd, *A New Gagg for an old Gooſe*, in anſwer to a Popiſh Book, entituled, *A Gagg for the New Goſpel*. For which he was then queſtion'd in Parliament, upon a Suggeſtion that he had receded from ſome Doctrines of the Reformed Churches, and had too much ſoftned ſome of the *Romiſh* Tenets.

The Cauſe being of dubious Points of Belief, was refer'd to Archbiſhop *Abbot*; who expreſt his diſlike of the Book, and gave the Author a ſolemn Admonition. Some other Biſhops, who were called of the *Arminian* Party, had a different Notion of Mr. *Mountague*'s Opinions, and encourged him to reaſſert them, and defend them in another Treatiſe to be Dedicated to the King; and, as an Appeal to his Royal Judgment and Authority, to be entituled, *Appello Cæſarem*. *Abbot* diſallowed the Book, and endeavour'd to ſuppreſs it: But the other Biſhops atteſted their Approbation of it, and haſten'd the Edition.

When it came out, the Houſe of Commons took notice of it, and appointed a Committee to examine into the Errors of it, and

and gave the Archbiſhop Thanks for his former Admonition to the Author; whoſe Books they voted to be contrary to the Eſtabliſhed Articles, to tend to the King's Diſhonour, and to the Diſturbance of the Church and State. For this they aſſign'd him a time of Anſwer; and on *July* 7. 1625. he was brought to the Bar of the Houſe of Commons.

The Biſhops of *Rocheſter*, *Oxford*, and St. *David*'s, who had a kind Opinion of Mr. *Mountague* and his Writings, uſed all poſſible Endeavours to ſtop this Method of Proceeding; and knowing the Duke of *Buckingham* to have the greateſt Influence upon the King, they begg'd his Interceſſion in this Letter, dated *Auguſt* 2.

May it pleaſe Your Grace,

WE are bold to be Suitors to you in the Behalf of the Church of England, *and a poor Member of it, Mr.* Mountague, *at this time not a little diſtreſſed. We are not Strangers to his Perſon, but it is the Cauſe which we are bound to be tender of. The Cauſe, we conceive, concerns the Church of* England *nearly. For that Church, when it was Reformed from the Superſtitious Opinions broached or maintained by the Church of* Rome, *refuſed the apparent and dangerous Errors, and would not be too buſy with every particular School-point.*

Now, may it pleaſe Your Grace, the Opinions which at this time trouble many Men in the late Book of Mr. Mountague, *are ſome of them ſuch as are expreſly the Reſolved Doctrine of the Church of* England, *and thoſe he is bound to maintain. Some of them are ſuch as are fit only for Schools, and to be left at more Liberty. And therefore to make any Man ſubſcribe to School-Opinions, may juſtly ſeem hard in the Church of CHRIST, and was one great Fault of the Council of* Trent. *And to affright them from thoſe Opinions in which they have (as they are bound) ſubſcribed to the Church, as it is worſe in itſelf, ſo may it be the Mother of greater Danger.*

May it pleaſe your Grace further to conſider, That when the Clergy ſubmitted themſelves in the Time of Henry VIII. *the Submiſſion was ſo made, that if any Difference, Doctrinal or other, fell in the Church, the King and the Biſhops were to be Judges of it in the National Synod or Convocation; the King firſt giving leave, under his Broad-Seal, to handle the Points in Difference. But the Church never*

submitted to any other Judge, neither indeed can she, tho' she would.

And we humbly desire Your Grace to consider, and then to move His Most Gracious Majesty (if you shall think fit) what dangerous Consequences may follow upon it. For, First, *If any other Judge be allowed in Matter of Doctrine, we shall depart from the Ordinance of CHRIST, and the continual Course and Practice of the Church.* Secondly, *If the Church be once brought down beneath Herself, we cannot but fear what may be the next Stroke at it.* Thirdly, *It will some way touch the Honour of His Majesty's dear Father, who saw and approved all the Opinions of this Book.* Fourthly, *We must be bold to say, That we cannot conceive what use there can be of Civil Government in the Commonwealth, or of Preaching or external Ministry in the Church, if such fatal Opinions, as some which are opposite and contrary to these deliver'd by Mr.* Mountague, *shall be publickly taught and maintained.* Fifthly, *We are certain, That all or most of the contrary Opinions were treated of at* Lambeth, *and ready to be published: But then Queen* Elizabeth, *upon notice given how little they agreed with the Practice of Piety, and Obedience to all Government, caused them to be suppressed; and so they have continued ever since, till of late some of them have received Countenance at the Synod of* Dort. *Now this was a Synod of that Nation, and can be of no Authority in any other National Church, till it be received there by Publick Authority. And our hope is, That the Church of* England *will be well advised, and more than once, before she admit a foreign Synod, especially of such a Church as condemneth her Discipline and manner of Government, to say no more.*

And further, We are bold to commend to Your Grace's Wisdom this one Particular: His Majesty, (as we have been inform'd) hath already taken this Business into his own Care, and most worthily referred it, in a right Course, to Church Consideration. And we well hoped, That without further trouble to the State, or breach of Unity in the Church, it might so have been well and orderly composed, as we still pray it may.

These things considered, we have little to say for Mr. Mountague's *Person; only thus much we know, he is a very good Scholar, and a right honest Man: A Man every way able to do GOD, His Majesty, and the Church of* England

great

great Service. We fear he may receive Diſcouragement; and (which is far worſe) we have ſome Cauſe to doubt this may breed a great backwardneſs in able Men to write in the Defence of the Church of England, *againſt either Home or Foreign Adverſaries, if they ſhall ſee him ſink in Fortune, Reputation, or Health, upon occaſion of his Book. And this we moſt humbly ſubmit to your Grace's Judgment, and Care of the Churches Peace and Welfare. So commending your Grace to the Protection of Almighty GOD, We ſhall ever reſt at your Grace's Service,*

Jo. Roffen. Jo. Oxon. Guil. Menev.

The Duke's eſpouſing this Cauſe, and the King's reproving the Houſe of Commons for medling in it, did but more exaſperate the adverſe Party, who were now Enemies to *Mountague*, not as an *Arminian*, but as an Inſtrument of Arbitrary Power. And it was indeed the State Intereſt that gave the great Diſtinction to theſe School-Opinions. Thoſe Divines who adhered to the more rigorous Opinions of St. *Auſtin*, *Calvin*, and the Synod of *Dort*, were at this time of the Country Party, in favour with the People, and with the prevailing Side in Parliament; ſo they eſtabliſhed to themſelves the Reputation of being Sound and Orthodox Proteſtants: While the other Divines, who went back to the Foundations of Religion, and to the import of the Scriptures, and to the Senſe ſo the Primitive Fathers, in rejecting the hard Decrees of Reprobation, and in reconciling the Will of Man with the Grace of *GOD*, they were eminently of the Court Party, and Favourites of the King and the Duke. And under a Prejudice upon this Civil, more than Religious Account, they were charged with *Popery* and *Arminianiſm*, only to make them the more odious to the Common People.

The Cry againſt the *Arminian* Party was ſo popular, that many Divines were encourag'd to confute the Principles of *Mr. Mountague's* Book, and to repreſent them as Falſe and Pernicious. In this Deſign Dr. *Sutcliff*, Dr. *Featly*, Dr. *Goad*, Mr. *Ward*, Mr. *Burton*, Mr. *Rowſe*, Mr. *Yates*, Mr. *Wotton*, and even a Biſhop of the Church, Dr. *Carleton*, engaged themſelves. Their Writings ſerved to heighten the Jealouſies of the Wiſer, and to confirm the Prejudices of the weaker Men. This was ſoon improved into ſuch a univerſal Diſlike of the dreadful Name of *Arminianiſm*, that even the King

and the Duke begun to think it not safe to protect *Mountague*. Bishop *Laud*, who was his zealous Friend, was sensible of this, and has enter'd it in his Diary thus: Jan. 29. Sunday. *I understand what D. B. had collected concerning the Cause, Book, and Opinions of* Richard Mountague, *and what* R. C. *had determined with himself therein. Methinks I see a Cloud arising and threatening the Church of* England. *God of his Mercy dissipate it.*

As soon as the Parliament began, *Feb.* 6. the Commons had an Eye upon Mr. *Mountague*, and resolv'd to call him to account. This raised the Curiosity of many Peers to understand what the Tenets were, and how they differ'd from the *Calvinistical* Opinions, which were commonly call'd the Doctrine of the Church, and were then the generally receiv'd Sense of the Articles of it. To this end a Conference was procured by the Earl of *Warwick*, to be held in the Duke of *Buckingham*'s House, in the Presence of His Grace and many others of the Nobility, upon *Saturday*, *Feb.* 11. between Dr. *Buckeridge*, Bishop of *Rochester*; and Dr. *White*, Dean of *Carlisle*; on the Side call'd the *Arminian*: and Dr. *Morton*, Bishop of *Litchfield*; and Dr. *Preston*, Preacher of *Lincoln's-Inn*, on the other Side.

Articles exhibited by the Commons against Richard Mountague.

I. THat in his Books call'd, *The New Gagg*, and *The Appeal*, he maintains and affirms, *That the Church of Rome is and ever was a true Church, since it was a Church*: Contrary to the 16 Homily.

II *That the Church of* Rome *hath ever remained firm upon the same Foundation of Sacraments and Doctrine instituted by God: In The Gagg*: Contrary to Hom. 16, and to the 25 and 28 Articles.

III. Speaking in *The Gagg*, of Faith, Hope, and Charity, he saith, *None of these are Controverted Points between* Papists *and* Protestants: Contrary to Article 19. And that *The Controverted Points are of a lesser and inferior Nature, of which a Man may be ignorant without any danger of his Soul at all: A Man may resolve to oppose this or that, without peril of perishing for ever*: Contrary to Article 31.

IV. *That*

IV. *That Images may be uſed for Inſtruction of the Ignorant, and Excitation of Devotion:* In *The Gagg:* Contrary to Homily the 2d.

V. In his Book of *Invocation of Saints,* he affirms, *That Saints have not only a Memory, but a more peculiar Charge of their Friends*; and that *it may be admitted, that ſome Saints have a peculiar Patronage, Cuſtody, Protection, and Power, as Angels alſo have, over certain Perſons and Countries by ſpecial Deputation*; and that *it is no Impiety ſo to believe:* Contrary to Homily 2.

VI. *That Men juſtified may fall away, and depart from the State which once they had; they may ariſe again, and become new Men poſſibly, but not certainly nor neceſſarily:* Contrary to the 17th Article. This is in *the Appeal.*

Some other Articles follow, which charge him with caſting the odious Name of *Puritans* upon the *Calviniſts*, &c.

This Buſineſs ended with the Diſſolution of the Parliament, and a Proclamation for Calling in the Book, entituled, *Appello Cæſarem.* And in the Year 1627, this Mr. *Mountague* was made Biſhop of *Chicheſter.*

In the ſame Year the Commons pretended to be under dreadful Apprehenſions of *Arminianiſm*; they voted Dr. *Neal*, Biſhop of *Wincheſter*, and Dr. *Laud*, Biſhop of *Bath* and *Wells*, to be guilty of it: Accordingly they complain'd of them to the King. Mr. *Rowſe*, Mr. *Pym*, and Sir *John Elliot* made bitter Speeches in Parliament upon this Subject. Which put the Houſe into ſuch a ferment, that they made this ſolemn Proteſtation.

We the Commons in Parliament aſſembled, do claim, proteſt, and avow for Truth, the Senſe of the Articles of Religion, which were eſtabliſhed by Parliament in the 13*th Year of our late Queen* Elizabeth; *which by the publick Acts of the Church of* England, *and by the general and current Expoſitions of the Writers of our Church, have been deliver'd unto us. And we reject the Senſe of the* Jeſuits *and* Arminians *and all others, wherein they differ from us.*

Anno 1634. 10 *Car.* I.

Clarendon *Vol.* I. *p.* 68. THE Narrow Seas were at this time infeſted with Pirates of all the Neighbour Nations, and the *Dutch* began to challenge ſuch a Right of Fiſhery, as would have robb'd the King of that Dominion which had been always claim'd and exercis'd by his Royal Anceſtors. To carry on this new Pretenſion, they encourag'd their Learned *Grotius* to aſſert their free uſe of Shipping, in a Treatiſe ſtiled *Mare Liberum*; anſwer'd and ſufficiently refuted by our excellent Antiquary Mr. *Selden*, in his *Mare Clauſum*: Of which the Materials had been formerly collected at the Motion of King *James*, and were now put in Order, and, within a Twelve-month, publiſhed at the Command of King *Charles*.

The Deſign of *Grotius*, in his *Mare Liberum*, is to prove, That the *Dutch* have as much Right as the *Portugueze*, or any other People, to Trade to the *Indies*. To make this good, he lays down this fundamental Maxim, *That any one Nation or People may freely have Commerce or Dealings with another, by Navigation or otherwiſe. This*, he ſays, *the Voice of God and Nature proclaim.* For this he quotes ſeveral Writers and Lawyers, with whom he ſays it is a Rule, That no Prince or Republick has Power to prohibit others from Trading with their Subjects. From whence he concludes, That the *Portugueze*, tho' Lords of thoſe Countries, to which the *Dutch* Trade, would be injurious, if they ſhould hinder them, and ſtop their Traffick.

But he denies that the *Portugueze* have any Right of Dominion over the *Indians*, upon the account of their being the firſt Diſcoverers, or by vertue of the Grant of Pope *Alexander* the VI. or by Right of Conqueſt, or becauſe they are in Poſſeſſion. As for Conqueſt, he ſays they have no Pretence to it; for when they demanded Free-Trade, the *Indians* admitted them without any Reſiſtance. And for Poſſeſſion, there is no ſuch thing as Property in the Sea, but it is open and free for all; no Body can divide it by Limits and Incloſures: but every Body may Sail in it, and Fiſh it; and if any Body could hinder the Publick of a conſiderable part of it, it would be a very wicked thing. Certain Nations may indeed agree among themſelves to divide the Sea ſo, as that if any Side be taken out of their Bounds they ſhall ſuffer for it.

it. But others who never enter'd into ſuch Agreement, cannot juſtly be taken and puniſhed, whereever they are found to rove. Here he deſires to be underſtood of the main Ocean, not of the Narrow Seas, which in ſome places ſcarce exceed the breadth of a large River: tho' 'tis certain the *Roman* Lawyers ſpoke of theſe, when they made thoſe noble Determinations againſt private Avarice.

Againſt this ſhort Treatiſe, Mr. *Selden* has writ a large Anſwer, call'd *Mare Clauſum*, by which he means (as he explains himſelf) a Sea own'd by a certain Prince or State as their Property, and ſo reſtrain'd by Law and Occupation, as that it is no longer common, but has a certain Lord and Maſter. In conformity to which Title he lays down theſe two Propoſitions. 1. That the Sea is not by the Law of Nature or Nations common to all Mankind, but is as capable of being ſet out and made a Property as the Land. 2. That his Moſt Serene Majeſty of *Great Britain* has an indefeaſible and perpetual Property in the Sea which ſurrounds the *Britiſh* Iſle, as an Appendage to his Dominions.

This being a large and weighty Work, we have room but very briefly to give the Contents of the Chapters.

I. The firſt Chapter contains a Scheme of the Work, and the Method of the firſt Book; for the whole is divided into Two Books.

II. Such Objections as may be made againſt the Dominion of the Sea.

III. How we are to underſtand the Word *Sea* in this Queſtion: And what Parts of the Law are ſervicable to this Diſquiſition.

IV. Concerning Dominion univerſal, in things common to all; and particular, wherein ſome only have a Right.

V. Of the Nature of ſpecial Dominion: And what Conſideration was had of the Sea in the ancient Diſtribution of things.

VI. That the Divine Law contain'd in Holy Scripture, favours a ſpecial Dominion of the Sea. And that all that great Sea Weſtward of the Holy Land, or at leaſt the beſt part of it, was particularly aſſign'd by GOD to the Territory of *Iſrael*, as the *Jewiſh* Lawyers affirm.

VII. That the Permiſſive Law of Nature (which is of uſe in this Caſe) is that which may be gather'd from the Cuſtoms and Practices of Nations which were of old, and are at this Day the moſt Polite and Civilized.

VIII. The

VIII. The Way of collecting the Permiſſive Law concerning the ſpecial Dominion of the Sea, out of the Cuſtoms of moſt Ages and People. That in the Fabulous Age there are plain Teſtimonies enough of ſuch Dominion. By the way, notice is taken of the *Mediterranean* Sea of the *Romans*, the Command whereof was given to *Pompey the Great.*

IX. The firſt mention that occurs in good *Greek* Hiſtory, concerning the Dominion of the Sea, is that of *Minos* King of *Crete.*

X. Next after him there are reckon'd up about Seventeen Nations, partly *European*, partly *Aſiatick*, who did ſeverally, in their turns, Lord it over the *Syrian*, *Egyptian*, *Pamphylian*, *Lydian*, and *Ægean* Seas.

XI. Concerning the Dominion which the *Lacedemonians* and *Athenians* claim'd at Sea; and how it was own'd by the *Perſians* as well as *Grecians* in a publick League.

XII. A Collection of other ſcatter'd Teſtimonies concerning the Dominion of the Sea, as they may be gather'd from the Oriental Cuſtoms.

XIII. Concerning the *Spinetæ* (People at the Mouth of the *Po*) who were many Years Lords of the *Adriatick* Sea; as the *Etrurians* were of the *Tuſcan*, and the *Carthaginians* of the *Sicilian* and *African* Seas.

XIV. Of the Dominion which the *Romans* in ancient and later Times had at Sea.

XV. Of the Dominion which private Men among the *Romans* had at Sea.

XVI. Of the Dominion of the Sea according to the Uſage of Nations at this Day. And firſt, Of the *Venetians* Right in the *Adriatick* Sea, the *Genoeſe* in that of *Genoa*, the *Tuſcans* in the Sea of *Tuſcany*, and the Biſhop of *Rome* in that which lies upon his Territory.

XVII. Of ſome received Laws and Cuſtoms in *Spain* and *Portugal* relating to the Dominion of the Sea.

XVIII. How far the Dominion of the Sea is determined by the Laws and Ordinances of *France.*

XIX. The particular Dominion of the Sea according to the Cuſtoms and Claims of the *Danes*, *Norwegians*, *Swedes*, *Polanders*, and *Turks.*

XX. The Objection concerning freedom of Sailing for Merchants and Travellers, anſwered.

XXI. An Anſwer to the Objection againſt the ſpecial Dominion of the Sea, from the perpetual rowling and changing

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of the Waters, and the impoſſibility of diſtinguiſhing it by any material Bounds or Fences.

XXII. The ſame Anſwer enlarged.

XXIII. An Anſwer to ſome Authorities which have caſually dropt from undeſigning Writers, and are commonly objected againſt the Property of the Sea.

XXIV. The Determinations of ſome ancient and modern Lawyers againſt this Property, refuted.

XXV. The true and genuine Senſe of the Emperor *Antoninus*'s Anſwer to the Merchant *Eudæmon*, complaining that he had been Shipwreck'd, and afterwards his Goods ſeized by the Exciſe-Officers; *I am Sovereign by Land, and the Law by Sea:* The vulgar reading of this Anſwer is corrected, and it is proved to contain nothing contrary to the Property of the Sea.

XXVI. The Objections of ſome famous Lawyers, particularly *Fernandus Vaſquius* and *Hugo Grotius*, are anſwered.

The Contents of the Second Book.

I. In this firſt Chapter is laid down the Matter and Method of the Book: with a Fourfold Diviſion of the *Britiſh* Ocean.

II. Here it is prov'd, that the *Britains* before the Invaſion of the *Romans* under *Julius Cæſar*, were Lords of the Ocean that bears their Name, eſpecially of the *South* and *Eaſt* Parts of it.

III. That the *Britains* were Lords of the *North* Sea, before they came under the *Roman* Yoke. And that the Sea and Land made up but one Body of the *Britannick* Empire.

IV. That when *Great-Britain* was conquer'd under the Emperors *Claudius* and *Domitian*, the Dominion of the *Britiſh* Ocean follow'd the Fate of the Iſland.

V. Of the Dominion of the *Romans* in the *Britiſh* Ocean, from the Reign of *Domitian* to *Conſtantius Chlorus*.

VI. Of the Dominion of the *South* and *Eaſt* Sea, which went along with the Government of *Great Britain*, from the Time of *Conſtantine the Great*, till the *Romans* wholly forſook this Iſland. And that it was all ſubject to the Lord of the *Saxon* Shore throughout *Britain*.

VII. A Refutation of their Notion, who think that the *Saxon* Shore, over which a Lord was appointed throughout *Britain*, was the *Britiſh* Shore or Coaſt of the Iſland itſelf.

VIII. Some Light concerning the *Britains* Dominion at Sea, from the Poet *Claudian* and the Medals of *Antoninus Pius*.

IX. How

IX. How their Dominion at Sea return'd to the *Britains*, when they were got clear of the *Roman Government*.

X. From the time that the *Anglo-Saxons* and *Danes* made themſelves Maſters of *South-Britain*, their Dominion in the Sea is to be concluded from the firſt Eſtabliſhment of the *Saxon* Kingdom, and from their Forces and Sea-Victories.

XI. The ſame may be gather'd from the Tribute and Services of their Vaſſals, which went to the Sea-Service. Here he takes occaſion to ſpeak of the Tax called *Danegelt*, which was paid for the Security of the Sea.

XII. The Teſtimonies of *Edgar* and *Canutus*, Kings of *England*, and others, very expreſs, concerning their, and their Predeceſſors Dominion at Sea; with a word of thoſe that Inhabited the oppoſite Shore at that time.

XIII. Teſtimonies of the Authority of the Kings of *England* at Sea after the *Norman* Conqueſt.

XIV. That they were always Lords of all the Sea round about, is prov'd from the Records of the Admiralty-Office.

XV. This is further prov'd from the Taxes and Tributes which were us'd to be levied for the guarding and ſecuring of the Seas.

XVI. Obſervations upon the Dominion of the *Engliſh* and *Iriſh* Seas, made from the Tenour and Variety of the Royal Patents, by which the Admirals are uſually created.

XVII. It appears plainly from the Form of the Royal Patents, conſtituting the Lord High Admiral of *England*, from ancient Times to this Day, That the Sea over which the King appoints him, is always bounded Weſtward with the Shores of *Aquitain*, *Normandy*, and *Picardy*.

XVIII. Of the Admirals of *France*, which is the oppoſite Shore; their Original, Nature, and Variety. That the Sea between *Britain* and *France* is not the Province of thoſe Admirals; nor is any thing contain'd in their Commiſſion prejudicial to the Maritime Power of the King of *England*.

XIX. The Dominion of *Jerſey* and *Guernſey*, and other Iſles appertaining to the Crown of *England*, tho' they lie upon the Coaſt of *France*, is a clear Argument that this Sea has always been the Property of the *Engliſh*.

XX. As alſo the Letters in our Archieves, which Foreigners have obtain'd from our Kings, for leave to paſs over this Sea.

XXI. To which may be added, the Leave and Protection which is uſually given by the Kings of *England* to Foreigners to Fiſh in this Sea.

XXII. The

XXII. The Laws and Terms which the Kings of *England* give to Foreigners, to behave themſelves in this Sea peaceably and quietly one towards another, tho' otherwiſe they are at open War, ſhew their Dominion in it. Here he takes notice of ſeveral large Receſſes in our Seas, called the King's Cloſets and Chambers. And of that ſingular Law of perpetual Truce in the Sea, about the Iſlands which lie upon the *Norman* Shore.

XXIII. Extracts of Publick Records in the Archives, wherein the Dominion of the Sea is of old aſſerted to the Kings of *England*, and that both by the King himſelf and by His Houſes of Parliament, in very expreſs Words, and as if they had been ſtudied with the greateſt Deliberation; tho', in truth, they were but caſual and accidental; which ſhews, that their Title was moſt certain and unqueſtionable.

XXIV. Of the Comments upon our Laws and known Cuſtoms, whereby it is either affirmed or taken for granted, that the King of *England* is Lord of the Sea.

XXV. Certain Teſtimonies of leſs moment, concerning this Dominion we are ſpeaking of.

XXVI. That by ancient Cuſtom, other Nations own the King of *England*'s Dominion in the Sea, by ſtriking Sail when they meet his Ships. And of two Edicts of the Kings of *France* about this Cuſtom.

XXVII. The Acknowledgment which abundance of Neighbouring Nations made of the King of *England*'s Power at Sea, in a little Tract that was publiſhed many Years ago, containing an Action prefer'd by them, together with the *Engliſh*, againſt *Reyner Grimbald*, the King of *France*'s Admiral.

XXVIII. A Copy of the Libel exhibited by the ſeveral Nations as aforeſaid, and the Authority of it.

XXIX. The King of *England*'s Dominion in the Sea, was owned by the *Flandrians*, in an Embaſſy to our King *Edward* the Second.

XXX. A particular Diſcourſe of our King's Property in the *Iriſh* and *Weſtern* Sea.

XXXI. Of the King of *Great-Britain*'s Power in the *Scotiſh* Sea, eſpecially in the *Eaſt* and *North*.

XXXII. Of his Right in the great *Northern* Sea which runs among the Iſlands of *Denmark* and *Norway*. This Chapter concludes the Work: But there follows about a Sheet and a half of Additions to be inſerted in the foregoing Chapters.

But

Clarend. *Vol.* I. *p.* 95. BUT the thing which mightily inflamed the Diſtempers and Diſcontents of the Nation, and brought an Odium upon the King and Clergy, was the Declaration for Recreations and Sports on *Sundays*, which was about this time republiſhed by the King's Command, as appears by this Order to the Archbiſhop, 1633.

Charles Rex.

CAnterbury, *See that our Declaration concerning Recreations on the Lord's-Day after Evening-Prayer, be printed.* And accordingly on the 18th of *October*, this Year, it came forth in Print, and was to this effect:

That King *James* of Bleſſed Memory, in his Return from *Scotland*, coming through *Lancaſhire*, found that his Subjects were debarred from lawful Recreations upon *Sundays* after Evening Prayers, and upon Holy-Days: And he prudently conſider'd, that if theſe Times were taken from them, the Meaner Sort, who labour hard all the Week, ſhould have no Recreations at all to refreſh their Spirits. And after his Return he further ſaw, that his Loyal Subjects in other Parts of his Kingdom did ſuffer in the ſame kind, tho' perhaps not in the ſame Degree: And did therefore in his Princely Wiſdom publiſh a Declaration to all his Loving Subjects, concerning Lawful Sports to be uſed at ſuch times, which was printed and publiſhed by his Royal Commandment, in the Year 1618. in the Tenor which hereafter followeth.

Whereas, upon His Majeſty's Return the laſt Year out of *Scotland*, he did publiſh his Pleaſure touching the Recreations of his People in thoſe Parts, under his Hand: For ſome Cauſes him thereunto moving, hath thought fit to command theſe his Directions then given in *Lancaſhire*, with a few Words thereunto added, and moſt applicable to theſe Parts of the Realms, to be publiſhed to all his Subjects.

Whereas he did juſtly, in his Progreſs through *Lancaſhire*, rebuke ſome Puritans and preciſe People, and took Order, that the like unlawful Carriage ſhould not be uſed by any of them hereafter, in the prohibiting and unlawful puniſhing of his good People, for uſing their lawful Recreations and Honeſt Exerciſes upon *Sundays* and other Holy-Days, after the Afternoon Sermon or Service; His Majeſty hath now found that two ſorts of People, wherewith that Country is much infected, *viz. Papiſts* and *Puritans*, have maliciouſly traduced and calumniated theſe his juſt and honourable Proceedings

ceedings: And therefore leſt his Reputation might upon the one ſide (tho' innocently) have ſome Aſperſion laid upon it; and that, upon the other part, his good People in that Country be miſled by the miſtaking and miſinterpretation of his Meaning, His Majeſty hath therefore thought good hereby to clear and make his Pleaſure to be manifeſted to all his good People in thoſe Parts.

It is true, that at his firſt entry to this Crown and Kingdom, he was informed, and that too truly, that his County of *Lancaſhire* abounded more in Popiſh Recuſants than any County of *England*, and thus hath ſtill continued ſince, to his great Regret, with little Amendment, ſave that now of late, in his laſt Riding through his ſaid County, hath found both by the Report of the Judges, and of the Biſhop of that Dioceſs, that there is ſome Amendment now daily beginning, which is no ſmall Contentment to His Majeſty.

The Report of this growing Amendment amongſt them, made His Majeſty the more ſorry, when with his own Ears he heard the general Complaint of his People; That they were barred from all Lawful Recreations and Exerciſe upon the *Sundays* Afternoon, after the ending of all Divine Service; which cannot but produce two Evils: The one the hindring the Converſion of many, whom their *Prieſts* will take occaſion hereby to vex, perſwading them that no honeſt Mirth or Recreation is lawful or tolerable in the Religion which the King profeſſeth, and which cannot but breed a great Diſcontentment in his People's Hearts, eſpecially of ſuch as are peradventure upon the Point of turning. The other Inconvenience is, That this Prohibition barreth the Common and Meaner ſort of People from uſing ſuch Exerciſes as may make their Bodies more able for War, when His Majeſty or His Succeſſors ſhall have occaſion to uſe them. And, in place thereof, ſets up Tipling and filthy Drunkenneſs, and breeds a number of Idle and Diſcontented Speeches in their Ale-Houſes. For when ſhall the Common People have leave to Exerciſe, if not upon the *Sundays* and Holy-Days, ſeeing they muſt apply their Labour and win their Living in all Working-Days?

The King's expreſs Pleaſure therefore is, That the Laws of this Kingdom and Canons of the Church, be as well obſerv'd in that County, as in all other Places of this his Kingdom. And, on the other part, That no Lawful Recreation ſhall be barred to his good People, which ſhall not tend to the

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Breach of the aforesaid Laws and Canons of his Church. Which, to express more particularly, His Majesty's Pleasure is, That the Bishops, and all other inferior Churchmen and Churchwardens, shall, for their Parts, be careful and diligent, both to instruct the Ignorant, and to convince and reform them that are misled in Religion, presenting them that will not conform themselves, but obstinately stand out, to the Judges and Justices: Whom he likewise commands to put the Laws in due Execution against them.

His Majesty's Pleasure likewise is, That the Bishop of that *Diocese* take the like strict Order with all the *Puritans* and *Precisians* within the same, either constrain them to conform themselves, or to leave the Country, according to the Laws of this *Kingdom* and Canons of this Church, and so to strike equally on both Hands, against the Contemners of his Authority and Adversaries of the Church. And as for his good Peoples Lawful Recreation, his Pleasure likewise is, that after the end of Divine Service, his good People be not disturbed, letted, or discouraged from any Lawful Recreation, such as Dancing, either Men or Women; Archery for Men, Leaping, Vaulting, or any other such harmless Recreation; nor from having of *May-Games*, *Whitson-Ales* and *Morice-Dances*, and the setting up of *May-Poles*, and other Sports therewith used: So as the same be had in due and convenient time, without impediment or neglect of Divine Service. And that Women shall have leave to carry Rushes to the Church for the decoring of it, according to their old Customs. But withal, His Majesty doth here account still as Prohibited, all Unlawful Games to be used upon *Sundays* only, as *Bear*, and *Bull-baitings*, *Interludes*; and at all times in the Meaner sort of People by Law prohibited, *Bowling*. And likewise bars from this Benefit and Liberty, all such known Recusants, either Men or Women, as will abstain from coming to Church or Divine Service, being therefore unworthy of any Lawful Recreation after the said Service, that will not first come to the Church and Serve GOD. Prohibiting in like sort, the said Recreations to any that, tho' conform in Religion, are not present in the Church at the Service of GOD, before their going to the said Recreations. His Pleasure likewise is, that they to whom it belongeth in Office, shall Present and sharply Punish all such as in abuse of this his Liberty, will use these Exercises before the end of all Divine Services for that Day. And he doth likewise straightly

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Command, that every Person shall resort to his own Parish-Church to hear Divine Service, and each Parish by itself to use the said Recreation after Divine Service. Prohibiting likewise any offensive Weapons to be carried or used in the said Times of Recreation. And his Pleasure is, That this his Declaration shall be published by Order from the Bishop of the Diocese, through all the Parish-Churches; and that both the Judges of the Circuits, and the Justices of the Peace be informed thereof.

Given at the Manour of Greenwich, *the 24th Day of* May *in the Sixteenth Year of His Majesty's Reign, of* England, France, *and* Ireland, *and of* Scotland *the One and Fiftieth.*

Now out of a like pious Care for the Service of God, and for suppressing of any Humours that oppose Truth, and for the Ease, Comfort, and Recreation of his well-deserving People, His Majesty doth ratify and publish this his Blessed Father's Declaration: The rather because of late in some Counties of this Kingdom, His Majesty finds, that under pretence of taking away Abuses, there hath been a general forbidding, not only of ordinary Meetings, but of the Feasts of the Dedication of the Churches, commonly called Wakes. *Now His Majesty's express Will and Pleasure is, That these Feasts, with others, shall be observed; and that His Justices of the Peace, in their several Divisions, shall look to it, both that all Disorders there may be prevented or punished, and that all Neighbourhood and Freedom, with Manlike and Lawful Exercises, may be used. And His Majesty further Commands all Justices of Assize, in their several Circuits, to see that no Man do trouble or molest any of his Loyal and Dutiful People, in or for their Lawful Recreations, having first done their Duty to* GOD, *and continuing in Obedience to His Majesty's Laws. And for this His Majesty commands all His Judges, Justices of Peace, as well within Liberties as without, Mayors, Bailiffs, Constables, and other Officers, to take notice of, and to see observed, as they tender his Displeasure. And doth further Will that Publication of this His Command be made, by Order from the Bishops, through all the Parish Churches of their several Dioceses respectively.*

Given at the Palace of *Westminster*, the 18th Day of *Octob.* in the Ninth Year of His Reign. GOD save the King.

The Chief Heads of Mr. Pym's *Speech concerning Grievances.* Anno 1640. 16. Car.

Clarendon *Vol.* I. *pag.* 133.

I Shall offer you a Model of the Grievances which afflict the Commonwealth, and which have disabled us to administer any Supply, until they be redressed, and will still disable us; which Grievances may be reduced to Three Heads.

The *First* are those Grievances, which during these Eleven Years Interval of Parliaments, are against the Liberties and Privileges of Parliament.

The *Second* are Innovations in Matters of Religion.

The *Third*, Grievances against the Propriety of our Goods.

In all these, I shall take care to maintain the great Prerogative of the King; which is, *That the King can do no Wrong.*

And *first*, I will begin with the Grievances against the Privileges and Liberties of Parliament.

1*st*, In that the Speaker, (the last Parliament the last Day of it) being commanded to put the Question, the House was commanded they should not speak.

2*dly*, In that the Parliament was then Dissolved, before our Grievances had Redress.

3*dly*, That the Judges presume to question the Proceedings of this House.

4*thly*, The several Imprisonments of divers Gentlemen, for speaking freely in Parliament.

5*thly*, That inferior Courts should be inform'd to punish Acts done in this Court, whereby several Members were Imprison'd, and some died in Prison.

Lastly, (Which I conceive to be the greatest) that the Parliament was punished without being suffer'd to make its own Defence. I call the Dissolution a Punishment.

The next sort of Grievances are those that concern Matters of Religion.

Wherein I will *first* observe the great Encouragement given to them of the Popish Religion, by a universal suspension of all Laws that are against them, and some of them admitted into Publick Places of Trust and Power.

There is an Intention of a *Nuncio* from the Pope, who is

to

to be here, to give ſecret Intelligence to *Rome*, how we incline here, and what will be thought fit to win us thither.

In order to this, Popiſh Books have been printed among us, and Diſputations of Popiſh Points are, and have been uſed in the Univerſities, and preached in the Pulpit for ſound Doctrine.

We have introduced Popiſh Ceremonies, as Altars, bowing towards the *Eaſt*, Pictures, Croſſes, Crucifixes, and the like.

I ſhall obſerve the daily diſcouraging of all Godly Men, who truly profeſs the *Proteſtant* Religion.

I may not forget that many of the Miniſters are Deprived for refuſing to read the Book for Sports upon the Sabbath.

Then the encroaching upon the King's Authority by Eccleſiaſtical Courts, as the *High-Commiſſion*, which takes upon it to Fine and Impriſon Men, forcing them to take the Oath *ex Officio*. Divers particular Ordinaries, Chancellors, and Arch-Deacons take upon them to Make and Ordain Conſtitutions within their particular Limits.

I come now to the Grievances in our Goods, and in Civil Matters: The Heads are too many.

The taking of *Tonnage* and *Poundage*, and divers other Impoſitions, without any Grant or Law for to do ſo.

Exacting of Fines for *Knighthood*.

Monopolies of Foreign and Native Commodities.

Ship-Money. Enlarging the Bounds of the Foreſt.

Compoſitions for publick *Nuſances*.

Military Charges and Impoſitions upon Counties, by Letters only from the Council-Table.

Extrajudicial Judgments and Impoſitions of the Judges without any Cauſe before them.

The Star-Chamber made a Court of Revenue.

Dr. *Mainwaring* and others aſſerting the King's unlimited Power.

Intermiſſions of Parliaments, which, by two Statntes unrepeal'd, ought to ſit once a Year.

Preferments of Ill-deſerving Men.

I come now to the laſt thing, the remedy of theſe Grievances.

Firſt, I adviſe to preſent them to the Houſe of Peers, that they may join with us to go to the King, and pray that theſe Grievances, being clear in Fact, may be Voted; if any thing in the Vote be ſtuck upon, that it may be Debated and Drawn

according to the Courſe of the Houſe into a Remonſtrance, with an humble Petition of both Houſes for Redreſs. And I hope the Wiſdom of this Houſe will prepare ſuch a Remedy, as will make the King a Great King, and the People Happy.

The Vote which the Houſe of Commons paſt, upon the Lords adviſing them to begin with a Supply.

Clarend. *Vol.* I. *pag.* 134. RESOLVED, That the Lords voting the propounding and declaring Matter of Supply in ſuch ſort as was contain'd in this Report, before it was moved from the Houſe of Commons, was a breach of the Privilege of the ſaid Houſe.

And the Commons, at a Conference with the Lords, (which enſued upon this Occaſion) deſired their Lordſhips, in their Wiſdom, to find out ſome way for the Reparation of their Privileges, broken by the Matter deliver'd at the laſt Conference, and to prevent the like Infringment for the future; and that the Lords would not take notice of any thing which ſhall be debated by the Commons, until they ſhall themſelves declare the ſame to their Lordſhips; which the Commons ſhall always obſerve to their Lordſhip's Proceedings.

Vol. I. *p.* 148. *May* 29. The *Convocation* having ſate from the Diſſolution of the Parliament, *May* 5. till this Day, they made in that time theſe Seventeen Canons.

I. Concerning Regal Power.

II. For the better keeping the Day of His Majeſty's moſt happy Inauguration.

III. For ſuppreſſing the Growth of Popery.

IV. Againſt Socinianiſm.

V. Againſt Sectaries.

VI. An Oath enjoin'd for the preventing of all Innovations in Doctrine and Government.

VII. A Declaration concerning ſome Rites and Ceremonies.

VIII. Of Preaching for Conformity.

IX. One Book of Articles of Enquiry, to be uſed at all Parochial Viſitations.

X. Concerning the Converſation of the Clergy.

XI. Chancellors Patents.

XII. Chancellors alone not to Cenſure any of the Clergy in ſundry Caſes.

XIII. Excommunication and Abſolution not to be pronounced but by a Prieſt.

XIV. Con-

XIV. Concerning Commutations, and the diſpoſing of them.
XV. Touching concurrent Juriſdictions.
XVI. Concerning Licenſes to Marry.
XVII. Againſt Vexatious Citations.

The Treaty at Rippon.

THis Treaty produced little or no effect, till the 16th of *October*; on which Day theſe Articles were agreed upon for the Maintenance of the *Scots* Army. Clarend. *Vol.* I. *pag.* 155.

I. *That the* Scotch *Army now lying in* Northumberland, Durham, *and* Newcaſtle, *ſhall have, for a competent Maintenance, the Summ of* 850 l. per Diem; *and that the Payment thereof ſhall begin* Octob. 16. *and to continue for Two Months, in caſe the Treaty ſhall ſo long laſt; which Payment to be made Weekly, upon the* Friday *of every Week; the firſt* Friday *being the* 23*d Day, to be for the Payment of the Week paſt.*

II. *The Days of the returning of the Army to be number'd within the Days of the allow'd Maintenance.*

III. *That the* Scotch *Army ſhall content themſelves with the aforeſaid Maintenance, and ſhall neither moleſt Papiſts, Prelates, nor their Adherents, nor any other Perſons of whatſoever Quality, during the time of Payment; but ſhall keep themſelves free of all other Taxes and Plunderings, not only during their abode, but in their returns; and ſuch Security as is uſual ſhall be given for the Performance of the ſame, and this to be order'd upon the Condition of the Treaty.*

IV. *That the Inhabitants of the ſaid Counties ſhall alſo have liberty to return peaceably to their own Dwellings, and ſhall be refuſed no Courteſy, it being always preſuppoſed that the fit lodging of their Army ſhall be allowed.*

V. *That the Army be furniſhed with Coals in a regular way, and not at the pleaſure of the Soldiers, which is eſpecially recommended to the Care of the* Scotch *Commiſſioners.*

VI. *That there be a Proviſion of Forage at the Prices to be ſet down in a Table, which muſt alſo contain the particular Prices of all ſorts of Victuals, and other Neceſſaries for the Army, to be indifferently agreed upon by Perſons nominated on both ſides.*

VII. *That the Sea-Ports be opened, and there be free Trade and Commerce by Sea and Land, as in the time of Peace; with this Proviſo, that with the Victuals no Arms nor Ammunition be imported into* Newcaſtle, *or any Harbour of* England; *and this free Trade and Commerce to be preſently intimated, and not to be interrupted; but upon the warning of three Months, that there may be a ſufficient time allowed for Ships to return, and for the diſpoſing of their Commodities.*

VIII. *That Victuals and other Neceſſaries for the Army, be free of Cuſtom; and that His Majeſty's Cuſtom of Coals and other Ware be left free to be levied by his own Officers,*

IX. *That all Reſtraints be removed, and that there be a freedom to furniſh Neceſſaries for both Armies, in ſuch ſort as is agreed upon by the Articles; and liberty be granted for Milling, Brewing, Baking, and other things of that kind.*

X. *That the Arrears be compleatly paid to* October 16. *and that ſuch Rents as are anticipate, and not yet due, be allow'd in the Arrears.*

XI. *That there be a Ceſſation of Arms, according to the Particulars to be agreed upon.*

XII. *As for ſecuring the Summ of* 850 l. per diem, *above ſpecified, there is a Committee appointed by the great Council of the Peers, who have Power to treat with* Northumberland, *the Biſhoprick of* Durham, Newcaſtle, *and (if need require) with other adjacent Counties, that there may be a real Performance of what is agreed on by us: And, for that we find many Difficulties of raiſing the Contributions out of the Counties of* Northumberland, *the* Biſhoprick *and Town of* Newcaſtle, *we have thought fit and neceſſary to add unto them, the Counties of* Cumberland *and* Weſtmorland, *to aſſiſt towards the ſaid Contribution, according to their Abilities.*

XIII. *And further, the Lords will, before their going from* York, *ſettle a Committee, who ſhall have Charge to ſee the Contribution orderly raiſed and paid; and that there ſhall likewiſe be a Committee Nominated of the Lords Commiſſioners, to whom either the* Scotch *Commiſſioners may addreſs, or the Committees of the Country may Weekly give an Account of the Carriage of the Buſineſs. And that from thence there may further Order be given for the due Performance of that which is promiſed.*

Signed, *&c.*

In

IN the Year 1633. *Feb.* 7. *Prynn* was Profecuted in the *Star-Chamber*, for his Book call'd *Hiſtrio Maſtix, The Players Scourge, or Actors Tragedy*, againſt Plays, Maſques, Dancings, *&c.* Clarend. *Vol.* I. *pag.* 200.

That altho' he knew well, that His Majeſty's Royal *Queen*, the Lords of the *Council*, *&c.* were, in their publick Feſtivals and other times, preſent Spectators of ſome Maſques and Dances, and many Recreations that were tolerable, and in themſelves ſinleſs, and ſo Publiſhed to be, by a Book Printed in the time of His Majeſty's *Royal Father:* Yet Mr. *Prynn* in his Book hath railed, not only againſt Stage-Plays, Comedies, Dancings, and all other Exerciſes of the People, and againſt all ſuch as behold them; but farther in particular, againſt *Hunting*, *Publick Feſtivals*, *Chriſtmaſkeeping*, *Bonfires*, and *May-Poles*; nay, againſt Dreſſing up of a Houſe with *Green Ivy*. And, to manifeſt his evil and miſchievous Deſign in Publiſhing of this Libel, he hath therein written divers Incitements to ſtir up the People to Diſcontent, as if there were juſt Cauſe to lay violent Hands on their *Prince*. Mr. *Noy* the Attorney-General ſaid: As for mentioning of Ceremonies, *&c.* of Dedicating *Paul's* to *Diana*; of the Diſcipline of the Church; the Complaint of New-erected Altars; I wonder what Altars he means: I hope the Church will examine him in due time; as alſo who he means by his *Modern Innovators* in the Church, and by cringing and ducking to Altars, a fit Term to beſtow upon the Church! he learned it of the *Canters*, being uſed among them. The Muſick in the Church, the charitable Term he giveth it is, Not to be a Noiſe of Men, but rather a *Bleating of Brute Beaſts*; *Choriſters bellow the Tenor*, as it were *Oxen*; bark a *Counter-point*, *as a Kennel of Dogs*; roar out a *Treble*, like a ſort of *Bulls*; grunt out a Baſe, as it were a number of *Hogs*. His Complaint for ſuppreſſing *Repetitions* by way of Conventicles; alſo his general Cenſure of all the Biſhops, and of all the Clergy; *they ſcorn to feed the Poor*; *the Silk and Satin Divines*; very charitable Terms upon them of the Church! *Chriſtmas*, as it is kept, is a *Devils Chriſtmas*; Nay, he doth beſtow a great number of Pages to make Men affect the Name of *Puritan*, as tho' *CHRIST* were a *Puritan*, and ſo he ſaith in his *Index*. Then, concerning the Images in the Church, he ſpeaketh againſt them, and putteth that now in Print, which was contain'd in an anſwer in this Court. Alſo for the Sabbath-day, whether to begin on *Saturday-*

night, and end on *Sunday* at six of the Clock. I wonder what the Man means, to bring these Things under the Title of *Stage-Players*; *Pluralities* under the Title of *Stage-Players. He had an End in it*; *he had an End in it.* When all this is done, he invites Men to read *John Mariana* the *Jesuit*, and two grave Authors more, who, he saith, are not censured. *Thus far Mr.* Noy.

Then several Passages were read out of the Book; among which was this, *p.* 465. *Trebellius Pollio* relates, *That* Martianus, Heraclianus, *and* Claudius, *three worthy* Romans, *conspired together to Murther* Gallienus *the Emperor*, (*a Man much besotted and taken up with Plays, to which he likewise drew the Magistrates and People, by his lewd example*) *as* Flavius *and others conspired* Nero's *Murther too, for the self same Cause*, &c. His calling the Persons who conspired an *Emperor's* Death (tho' a Wicked Emperor) *three worthy Persons*, was interpreted a Treasonable Expression.

A little after, *Prynn*, under Confinement, writ another Libel, and sent it to the Archbishop of *Canterbury*; as appears from His *Grace*'s Diary for the Year 1634, in these Words:

June 11. *Wednesday*, Mr. *Prynn* sent me a Letter about his Censure in the *Star-Chamber*, for his *Histrio Mastix*, and what I said in that Censure; in which he hath many ways mistaken me, and spoken untruth of me.

June 16. I shew'd this Letter to the King, and, by his Command, sent it to Mr. Attorney *Noy*.

June 17. Mr. *Attorney* sent for Mr. *Prynn* to his Chamber, shewed him the Letter, asked him whether it were his Hand? Mr. *Prynn* said he could not tell, unless he might read it; the Letter being given into his Hand, (and Mr. Attorney going to his Closestole, needing a Paper for that Purpose) he tore it in small pieces and threw it out at a Window, fearing, it seems, an *ore tenus*.

For this, *June* 18. Mr. Attorney brought him into the *Star-Chamber*, where all this appear'd; I there forgave him. *Thus far the Archbishop.*

In the Year 1637. *June* 14. *Prynn* was Prosecuted again in the *Star-Chamber*, for publishing a Libel, call'd, *News from* Ipswich; intended chiefly against Dr. *Wrenn*, Bishop of *Norwich*, who then lived in *Ipswich*. But he fell scandalously foul on the Archbishop himself, and some of the other Bishops. He descants on the Archbishop, with his *Arch-*

Piety

Piety, *Arch-Charity*, *Arch-Agent for the Devil*, &c. And he calls the Biſhops in general, *Luciferian Lord Biſhops*, *execrable Traytors*, *devouring Wolves*, &c. with many other odious names not fit to be uſed by a Chriſtian.

When he came upon his Trial, his Anſwer was ſo full of Scandal, that no Counſellor could be found to put his Hand to it, according to the Courſe of that Court. So that, inſtead of an Anſwer, he exhibited a Croſs-Bill againſt the Archbiſhop and his Confederates, (as he call'd them) charging them with the greateſt part of thoſe Reproaches which had been made the ſubject-matter of his former Libels: Which being ſigned by no Hands but his own, the Charge was taken by the Lord-Keeper *pro confeſſo*. And ſo *June* 14, he received his Sentance, which was, *To be fined* 5000 *l. to the King, to loſe what remain'd of his Ears (ſince his ſuffering for his* Hiſtrio-Maſtix) *in the Pillory, to be branded in both Cheeks, with the letters,* S. L. *for a Schiſmatical Libeller, and to be perpetunlly Impriſon'd in* Carnarvan-Caſtle. At the pronouncing of which Sentence, the Archbiſhop made a long and elaborate Speech, (to be ſeen in *Ruſhworth.* Vol. III. Append. p. 116.) in vindication of himſelf and the reſt of the Biſhops from any Deſign to bring in Popery, or innovating in the Government and Forms of Worſhip. On the 30th of the ſaid Month, the Lords Cenſure was put in Execution in the *Palace-Yard* at *Weſtimnſter*.

At the ſame time and place, were tried *John Baſtwick*, Doctor of Phyſick, and *Henry Burton*, Batchelour of Divinity, Miniſter of St. *Matthews* Church in *Fryday-Street*, *London*, for the like offence of framing and publiſhing Libels againſt the Hierarchy of the Church, and to the ſcandal of the Government.

Baſtwick has writ three Tracts in Latin. The firſt he calls, *Elenchus Papiſticæ Religionis*, A Refutation of Popery. The ſecond, *Flagellum Pontificis & Epiſcoporum Latialium*, A Scourage for the *Pope* and the Romiſh Biſhops. The third, *Ad Præſules Anglicanos*, An Apology to the *Engliſh* Prelates, with a virulent Litany againſt the *High-Commiſſion* Court. It appears, that he was Tried and Cenſured for ſpiteful Invectives againſt the Biſhops, with which his Writings abound: For, in his Anſwer to the Charge, he undertook to maintain, That the Prelates were Invaders of the King's Prerogative Royal, Contemners and Deſpiſers of the

the whole Scriptures, advancers of Popery, Superstition, Idolatry, and Profaneness; also that they abused the King's Authority to the oppression of his Loyal Subjects, and therein expressed great Cruelty, Tyranny, and Injustice; and in the execution of this Impious Performance, they shew'd neither Wit, Honesty, nor Temperance, nor were they either Servants of GOD or of the King (as they ought to be indeed) but of the Devil, being Enemies of GOD and the King, and of every living thing that is good. These were *Bastwick's* Assertions.

Burton had Preached a Sermon on the 5th of *November*, at his Parish-Church in *Friday-Street*, in which he Insinuated, that there were *some dangerous Plots in hand, to change the Orthodox Religion, established in* England, *and to bring in Romish Superstition in the room of it.* He likewise charged the Bishops with introducing several Innovations into Divine Worship: As,

1. *In the Epistle the Sunday before* Easter, *they had put out In, and made it,* At the name of *JESUS* every knee shall bow: *Which Alteration,* he said, *was directly against the Act of Parliament.*

2. *That two places are changed in the Prayers set forth for the fifth of* November, *and order'd to be read by Act of Parliament. The first place is changed thus, from* Root out that Babylonish and Antichristian Sect, which say of *Jerusalem, &c. into this Form of Words,* Root out that Babylonish and Antichristian Sect (of them) which say, *&c. The second place went thus in the old:* Cut off these Workers of Iniquity, whose Religion is Rebellion. *But in the Book Printed* 1635, *it is thus altered*; Cut off those Workers of Iniquity, who turn Religion into Rebellion, *&c.*

3. *That the Prayer for the Navy is left out of the late Book for the Fast.*

4. *That the second Service, as dainties, must be said at the Communion Table, or the Altar.*

5. That it is an Innovation to *Bow or do Reverence at our first coming into the Church, or at our nearer approches to the Holy Table.*

6. *That the placing of the Holy Table Altarwise at the upper end of the Chancel, and setting of it North and South, and placing a rail before it, is done to advance and usher in Popery.*

This *Burton* proved afterwards a rigid Independent.

A Declaration of ſome Miniſters, and Petition of ſome Citizens, againſt the Government of the Church by Biſhops.

To the Right Honourable, the Commons Houſe of Parliament, the Humble Petition of many of His Majeſty's Subjects in and about the City of *London*, and ſeveral Counties of the Kingdom,

Sheweth,

Clarend. *Vol.* I. *p.* 203.

Preſented Decemb. 11. 1640.

THat *whereas the Government of* Archbiſhops *and* Lord Biſhops, Deans *and* Arch-Deacons, *&c. with their Courts, and Miniſtrations in them, have proved prejudicial and very dangerous both to the Church and Commonwealth, they themſelves having formerly held, That they have their Juridiction or Authority, of human Authority; till of theſe latter times being further preſſed about the unlawfulneſs, that they have claimed their calling immediately from the Lord JESUS CHRIST, which is againſt the Laws of this Kingdom, and derogatory to his Majeſty and his State Royal: And whereas the ſaid Government is found by Woful Experience, to be a main cauſe and occaſion of many foul Evils, Preſſures, and Grievances of a very high nature, unto His Majeſty's Subjects, in their own Conſciences, Liberties, and Eſtates, as in a Schedule of particulars hereunto annexed, may in part appear.*

We therefore moſt humbly pray and beſeech this Honourable Aſſembly, the Premiſes conſidered, That the ſaid Government, with all its Dependencies, Roots and Branches, may be aboliſhed, and all Laws in their behalf, made void, and the Government, according to GOD's Word, may be rightly placed amongſt us. And we your humble Supplicants, as in Duty we are bound, will daily pray for His Majeſty's long and happy Reign over us, and for the proſperous ſucceſs of this High and Honourable Court of Parliament.

Then follows a Schedule of 28 Grievances, to be ſeen in *Ruſhworth*, *Vol.* V. *p.* 93. with other Petitions againſt Biſhops.

A Bill for a Triennial Parliament, entituled, An Act for preventing of Inconveniencies happening by the long Intermission of Parliaments.

THE Preamble sets forth, That by the Laws of this Realm, a Parliament ought to be holden at least once every Year.

It is enacted, That the said Laws be duly kept; and that, if there be not a Parliament summon'd by Writ under the Great Seal, and assembled before the 10th of *September*, which shall be in the third Year next after the last day of the last Sitting of this present Parliament, (the beginning of the first Year to be accounted from the said last day of sitting, and so from time to time) that then the Parliament shall assemble at *Westminster*, by such means as is hereafter enacted, on the second *Monday* in *November* then next ensuing. And if this or any other Parliament shall be prorogued or adjourned until the 10th day of *September*, which shall be in the third Year next after the last day of the last sitting of the Parliament; that then every such Parliament, so prorogued or adjourned, shall, from the said 10th of *September*, be clearly and absolutely *Dissolved*; and the Lord Chancellor, Lord Keeper, or Commissioners of the Great Seal, shall, within six days after the said 10th of *September*, without any further Warrant from His Majesty, *&c.* issue forth Writs to the Peers, commanding them to be at the Parliament at *Westminster*, on the second *Monday* in *November* next following the said 10th of *September*; and shall also send Writs to the Sheriffs of all the Counties, Cities, and Boroughs of *England* &c. for electing of the Knights, *&c.* to appear and serve in the said Parliament. And every Lord Chancellor, Keeper, or Commissioners of the Great Seal, shall at the entring upon their Office, take the following Oath; *viz. You shall swear, That you shall truly and faithfully issue forth and send abroad all Writs of Summons to Parliament, for both Houses, at such time, and in such manner, as is expressed and enjoined by an Act of Parliament, entituled,* An Act for preventing of Inconveniencies, *&c.* And if the Lord Chancellor, Keeper, or Commissioners fail to issue out Writs, then they shall forfeit their Places, and be liable to such further Punishments, as shall be inflicted by the next, or any other ensuing Parliament. And the Peers of this Realm shall meet in the old Palace of *Westminster* on the

the third *Monday* in *November*; and they, or any twelve of them, ſhall, before the laſt *Monday* in *November*, iſſue Writs in the King's Name for a Parliament to be holden at *Weſtminſter*, the third *Monday* in *January* then next following.

And if the ſaid Lords, or any twelve of them, ſhall fail to iſſue forth ſuch Writs, then the Parliament ſhall Aſſemble on the ſecond *Tueſday* in *March* next after; and the Lords that ſhall not appear, ſhall be liable to ſuch Pains and Cenſures as if they had been ſummon'd by Writ, and to ſuch further Pains as their Peers in Parliament ſhall adjudge.

And the Sheriffs, *&c.* ſhall, at the ſeveral Courts and Places to be held and appointed for their reſpective Counties, *&c.* next after the 23d Day of *January*, cauſe Knights and Burgeſſes to be choſen as uſual. And if any of the Sheriffs, *&c.* ſhall not begin the Election before ten a Clock in the forenoon of the Day appointed for it, then the Freeholders, *&c.* ſhall forthwith proceed to Election.

And the Sheriffs, *&c.* ſhall after the ſaid 23d Day of *January*, and before the 8th of *February* following, ſend forth their Precepts to the Cities and Boroughs, to make their Elections, which, if the Sheriffs neglect to do, the Freeholders ſhall, of their own accord, proceed to Election.

And no Parliament ſhall be diſſolved or prorogued within fifty Days, at leaſt, after the time appointed for their Meeting; nor be adjourned till they have ſate fifty Days at leaſt, unleſs it be by their own Conſent.

Matters relating to the Earl of Strafford's *Trial.*

The Names of the Members of the Houſe of Commons, appointed to manage the Evidence againſt him. Clarendon *Vol.* I. *p.* 214.

George Lord *Digby.*
John Hambden, Eſq;
John Pym, Eſq;
Oliver St. John, Eſq; ſhortly after Sollicitor General to King *Charles* I.
Sir *Walter Earl*, Knight.
Geofrey Palmer, afterwards Knighted, and made Attorney-General to King *Charles* II.
John Maynard, Eſq; afterwards Serjeant at Law to King *Charles* II.
John Glyn, Eſq; Recorder of *London*, afterwards ſworn one of the Council to King *Charles* II.

The

The Bill of Attainder of the Earl of Strafford.

Pag. 226. WHereas the Knights, Citizens, and Burgeſſes of the Houſe of Commons, in this preſent Parliament aſſembled, have, in the Name of themſelves, and of all the Commons of *England*, impeached *Thomas* Earl of *Strafford*, of High Treaſon; for endeavouring to ſubvert the ancient and fundamental Laws and Government of His Majeſty's Realms of *England* and *Ireland*, and to introduce an Arbitrary and Tyrannical Government, againſt Law, in the ſaid Kingdoms, and for exerciſing a Tyrannous and Exorbitant Power over and againſt the Laws of the ſaid Kingdoms, and the Liberties, Eſtates, and Lives of His Majeſty's Subjects; and likewiſe having, by his own Authority, commanded the Laying and Aſſeſſing of Soldiers, upon His Majeſty's Subjects, in *Ireland*, againſt their Conſents, to compel them to Obey his Unlawful Summons, and Orders made upon Paper Petitions, in Cauſes between Party and Party, which accordingly was executed upon divers of His Majeſty's Subjects, in a Warlike Manner, within the ſaid Realm of *Ireland*; and in ſo doing, did levy War againſt the King's Majeſty, and his Liege People in that Kingdom: And alſo for that he, upon the unhappy Diſſolution of the laſt Parliament, did ſlander the Houſe of Commons to his Majeſty, and did Counſel and Adviſe His Majeſty, that *He was looſed and abſolved from the Rule of Government, and that he had an Army in* Ireland, *by which he might reduce this Kingdom:* For which he deſerves to undergo the Pains and Forfeitures of High Treaſon.

And the ſaid Earl hath been an Incendiary of the Wars between the two Kingdoms of *England* and *Scotland*; all which Offences have been ſufficiently proved againſt the ſaid Earl upon his Impeachment.

Be it therefore enacted by the King's moſt excellent Majeſty, and by the Lords and Commons in this preſent Parliament aſſembled, That the ſaid Earl of *Strafford*, for the heinous Crimes and Offences aforeſaid, ſtand, and be adjudged and attainted of High Treaſon, and ſhall ſuffer ſuch Pain of Death, and incurr the Forfeitures of his Goods and Chattels, Lands, Tenements, and Hereditaments of any Eſtate of Freehold, or Inheritance in the ſaid Kingdoms of *England* and *Ireland*, which the ſaid Earl, or any other to his uſe, or in truſt

truſt for him, have, or had, the day of the firſt ſitting of this Parliament, or at any time ſince. *Provided*, that no Judge or Judges, Juſtice or Juſtices whatſoever, ſhall adjudge or interpret any act or thing to be Treaſon, nor hear or determine any Treaſon in any other manner than he or they ſhould or ought to have done before the making of this Act; and as if this Act had never been had or made. Saving always, unto all and ſingular Perſons, Bodies Politick and Corporate, their Heirs and Succeſſors, others than the ſaid Earl and his Heirs, and ſuch as claim from, by, or under him, all ſuch Right, Title, and Intereſt of, in, and to, all and ſingular ſuch of the ſaid Lands, Tenements, and Hereditaments, as he, they, or any of them, had before the firſt Day of this preſent Parliament, any thing herein contain'd to the contrary notwithſtanding.

The Names of the *Straffordians*.

The Lord *Digby*.
Lord *Compton*.
Lord *Buckhurſt*.
Sir *Robert Hatton*.
Sir *Thomas Fanſhaw*.
Sir *Edward Alford*.
Nicholas Slanning.
Sir *Thomas Danby*.
Sir *George Wentworth*.
Sir *Peter Wentworth*.
Sir *Fredrick Cornwallis*.
Sir *William Carnaby*.
Sir *Richard Wynn*.
Sir *Gervas Clifton*.
Sir *William Withrington*.
Sir *William Pennyman*.
Sir *Patrick Carwin*.
Sir *Richard Lee*.
Sir *Henry Slingſby*.
Sir *William Portman*.
Mr. *Gervas Hollis*.
Mr. *Sidney Godolphin*.
Mr. *Cook*.
Mr. *Coventry*.
Mr. *Kirton*.
Mr. *Pollard*.
Mr. *Price*.
Mr. *Trevanyon*.
Mr. *Jeane*.
Mr. *Edgcombe*.
Mr. *Benj. Weſton*.
Mr. *Selden*.
Mr. *Alford*.
Mr. *Lloyd*.
Mr. *Herbert*.
Captain *Digby*.
Serjeant *Hyde*.
Mr. *Taylor*.
Mr. *Richard Weſton*.
Mr. *Griffith*.
Mr. *Scawen*.
Mr. *Bridgman*.
Mr. *Fettyplace*.
Doctor *Turner*.
Captain *Charles Price*.
Doctor *Parry* a Civilian.
Mr. *Richard Arundel*.
Mr. *Newport*.
Mr. *Nowel*.
Mr. *Chichley*.
Mr. *Mallory*.
Mr. *Porter*.
Mr. *White*, Secretary to *E.D.*
Mr. *Warwick*.

Rea-

Reaſons for a Bill to take away Biſhops Votes in Parliament.

p. 234, and p. 302. 1. BEcauſe it is a great hindrance to their Miniſterial Function.

2. Becauſe, when they enter into Holy Orders, they vow that they will give themſelves wholly to that Vocation.

3. Becauſe Councils and Canons in ſeveral Ages, do forbid them to meddle in ſecular Affairs.

4. Becauſe the twenty-four Biſhops have Dependance on the two Archbiſhops, and ſwear Canonical Obedience to them.

5. Becauſe they are but for their Lives, and therefore are not fit to have Legiſlative Power over the Honours, Inheritance, Perſons, and Liberties of others.

6. Becauſe of Biſhops Dependency and Expectancy of Tranſlation to Places of greater Profit.

7. That the ſeveral Biſhops have of late much encroached upon the Conſciences and Liberties of the Subject; and they and their Succeſſors will be much encouraged ſtill to encroach; and the Subject will be much diſcouraged from complaining againſt ſuch encroachment, if twenty-ſix of that Order be to be Judges upon that Complaint. The ſame Reaſon extends to their Legiſlative Power, in any Bill to paſs for the Regulation of that Power, upon any emergent Inconveniency by it.

8. Becauſe the whole Number of them are intereſted to maintain the Juriſdiction of Biſhops; which hath been found ſo grievous to the three Kingdoms, that *Scotland* hath utterly aboliſhed it.

9. Becauſe the Biſhops being Lords of Parliament, it ſettleth too great a Diſtance between them and the reſt of their Brethren in the Miniſtry; which occaſioneth Pride in them, Diſcontent in others, and Diſquiet in the Church. And as to their having Votes a long time, the Anſwer is, if it be inconvenient, Time and Uſage are not to be conſider'd with Law-makers: Some Abbots Voted as anciently in Parliaments as Biſhops, yet are taken away.

Reſolved,

Reſolved, that all Deans, Deans and Chapters, *P.* 237.
Archdeacons, Prebendaries, Chanters, Canons,
and Petty-Canons, and their Officers, ſhall be utterly aboliſhed and taken away out of the Church.

That all the Lands taken by this Bill, from Deans and Chapters, ſhall be imploy'd to the advancement of Learning and Piety, Proviſion being had and made, that His Majeſty be no loſer in his Rents, Firſt-fruits, and other Duties; and that a Competent Maintenance ſhall be made to the ſeveral Perſons concerned, if ſuch Perſons appear not peccant and Delinquents to this Houſe.

The Earl of Strafford's *Letter to the King to paſs the Bill of Attainder.*

May it pleaſe your Sacred Majeſty,

IT has been my greateſt Grief, in all theſe Trou- *P.* 258
bles, to be taken as a Perſon who ſhould endeavour to repreſent and ſet things amiſs between your Majeſty and your People, and to give Councils tending to the diſquiet of the three Kingdoms.

Moſt true it is, that (this mine own private Condition conſider'd) it had been a great madneſs (ſince, thro' your gracious Favour, I was ſo provided) as not to expect in any kind to mend my Fortune or pleaſe my Mind more, than by reſting where your bounteous Hands had placed me.

Nay, it is moſt mightily miſtaken; for, unto your Majeſty it is well known, my poor and humble Advices concluded ſtill in this, That your Majeſty and your People could never be happy, till there were a right underſtanding betwixt you and them; and that no other means were left to effect and ſettle this Happineſs, but by the Counſel and Aſſent of your Parliament; or to prevent the growing Evils of this State, but by an intire putting yourſelf in this laſt Reſort, upon the Loyalty and good Affections of your *Engliſh* Subjects.

Yet ſuch is my Misfortune, that this Truth findeth little credit; yea the contrary ſeemeth generally to be believed, and myſelf reputed as one who endeavoured to make a Separation between you and your people. Under a heavier Cenſure than this, I am perſwaded, no Gentleman can ſuffer.

Now, I understand, the Minds of Men are more and more incensed against me, notwithstanding your Majesty hath declared, that, in your Princely Opinion, I am not guilty of Treason, and that you are not satisfied in your Conscience to pass the Bill.

This brings me in a very great Streight; there is before me the ruine of my Children and Family, hitherto untouched in all the Branches of it, with any foul Crime; here are before me the many Ills which may befal your sacred Person and the whole Kingdom, should yourself and Parliament part less satisfied one with the other, than is necessary for the Preservation both of King and People. Here are before me, the things most valued, most feared by Mortal Men, *Life or Death.*

To say, Sir, that there hath not been a Strife in me, were to make me less Man, than, GOD knows, my Infirmities make me; and to call a Destruction upon myself, and young Children (where the Intentions of my Heart, at least, have been Innocent of this great Offence) may be believed, will find no easy consent from Flesh and Blood.

But, with much Sadness, I am come to a Resolution of that, which I take to be best becoming me, and to look upon it as that which is most principal in itself, which, doubtless, is the Prosperity of your sacred Person, and the Commonwealth, things infinitely before any private Man's Interest.

And therefore, in few words, as I put myself wholly upon the Honour and Justice of my Peers, so clearly, as to wish your Majesty might please to have spared that Declaration of yours on *Saturday* last, and intirely to have left me to their Lordships; so now, to set your Majesty's Conscience at Liberty, I do most humbly beseech your Majesty, for Prevention of Evils which may happen by your Refusal to pass this Bill, and, by this means, to remove (praised be GOD) I cannot say this accursed, but I confess, this unfortunate thing, forth of the way towards that blessed Agreement, which GOD, I trust, shall ever Establish between you and your Subjects.

Sir, my Consent shall more acquit you herein, to GOD, than all the World can do besides: To a willing Man there is no Injury done; and, as, by GOD's Grace, I forgive all the World, with a calmness and meekness of Infinite Contentment to my dislodging Soul, so, Sir, to you I can give the Life of this World, with all the cheerfulness imaginable, in the

the Juſt acknowledgment of your exceeding Favours; and only beg, that in your Goodneſs you would vouchſafe to caſt your gracious Regard upon my poor Son, and his three Siſters, leſs or more, and no otherwiſe than as their (in preſent) unfortunate Father, may hereafter appear more or leſs guilty of this Death. GOD long preſeve Your Majeſty.

Tower, May 4. 1641.

Your Majeſty's moſt faithful and humble Subject and Servant,

Strafford.

The Earl of Strafford's *Speech on the Scaffold.*

MY Lord *Primate* of *Ireland*, and my Lords, and the reſt of theſe noble Gentlemen, It is *Pag.* 259.
a great Comfort to me to have Your Lordſhips by me this Day, becauſe I have been known to you a long time; and now I deſire to be heard a few Words.

I come here, my Lords, to pay my laſt Debt to Sin, which is Death; and, thro' the Mercies of GOD, to riſe again to Eternal Glory.

My Lords, if I may uſe a few Words, I ſhall take it as a great Courteſy from you: I come here to ſubmit to the Judgment that is paſſed upon me; I do it with a very quiet and contented mind; I do freely forgive all the World, a forgiveneſs not from the Teeth outward (as they ſay) but from my Heart; I ſpeak in the Preſence of Almighty GOD, before whom I ſtand, that there is not a diſpleaſing Thought that ariſeth in me againſt any Man: I thank GOD, I ſay, truly, my Conſcience bears me witneſs, that in all the Honour I had to ſerve His Majeſty, I had not any Intention in my Heart, but what did aim at the joint and individual Proſperity of the King and his People, altho' it be my ill hap to be miſconſtrued, I am not the firſt Man that hath ſuffered in this kind: It is a common Portion that befals Men in this Life: Righteous Judgment, that ſhall be hereafter: Here we are ſubject to error and misjudging one another.

One thing I deſire to be heard in, and do hope that, for Chriſtian Charity's ſake, I ſhall be believed: I was ſo far from being againſt Parliaments, that I did always think Parliaments in *England* to be the happy Conſtitution of the Kingdom and Nation, and the beſt means under GOD, to

make the King and his People happy. As for my Death, I do here acquit all the World, and beſeech GOD to forgive them: In particular, I am very glad His Majeſty conceives me not meriting ſo ſevere and heavy a Puniſhment, as the utmoſt Execution of this Sentence: I do infinitely rejoice in it, and in that Mercy of his, and do beſeech GOD to return him the ſame, that he may find Mercy when he hath moſt need of it. I wiſh this Kingdom all Proſperity and Happineſs in the World: I did it living, and now dying, it is my wiſh.

I profeſs heartily my Apprehenſion, and do humbly recommend it to you, and wiſh that every Man would lay his Hand on his Heart, and conſider ſeriouſly, whether the beginning of the People's happineſs ſhould be written in *Letters of Blood*? I fear they are in a wrong way: I deſire Almighty GOD that no one drop of my Blood riſe up in Judgment againſt them. I have but one word more, and that is for my Religion.

My Lord of *Armagh*, I do profeſs my ſelf ſeriouſly, faithfully, and truly to be an obedient Son of the Church of *England*. In that Church I was born and bred, in that Religion I have lived, and now in that I die. Proſperity and Happineſs be ever to it.

It hath been ſaid, I was inclin'd to Popery: If it be an Objection worth the anſwering, let me ſay truly from my Heart, that ſince I was Twenty-one Years of Age, unto this Day, going on Forty-nine Years, I never had thought or doubt of the Truth of this Religion, nor had ever any the Boldneſs to ſuggeſt to me the contrary, to my beſt Remembrance.

And ſo being reconcil'd to the Mercies of JESUS CHRIST my Saviour, into whoſe Boſom I hope ſhortly to be gathered, to enjoy eternal Happineſs, which ſhall never have an end; I deſire heartily to be forgiven of every Man, if any raſh or unadviſed Words or Deeds have paſſed from me, and deſire all your Prayers: And ſo, my Lord, farewel; and farewel all things in this World.

The Lord ſtrengthen my Faith, and give me Confidence and Aſſurance in the Merits of CHRIST JESUS, I truſt in GOD we ſhall all meet to live eternally in Heaven, and receive the Accompliſhment of all Happineſs, where every Tear ſhall be wiped from our Eyes, and ſad Thoughts from our Hearts. And ſo GOD bleſs this Kingdom, and JESUS have Mercy on my Soul.

The

The chief Articles of Pacification with the Scots *agreed to by the King and Parliament.*

THat *Edenburgh*-Caſtle, and other Strengths of the Kingdom, be furniſhed and defended by advice of the Parliament. *Pag.* 279.

That the King ſhall put no Perſon into Place or Office, nor imploy any about his Perſon, without Conſent of Parliament.

That Ships and Goods be reſtored on both ſides.

That a friendly Relief and Aſſiſtance be given to ſupply the Loſſes of the *Scots*, in this War. And the Parliament reſolved that 220000 *l.* was a fit Summ.

That all ſuch Declarations, Proclamations, Libels, *&c.* as have been publiſhed againſt His Majeſty's Loyal and Dutiful Subjects of *Scotland* be recall'd: And that their Loyalty, Integrity, and Faithfulneſs to his Majeſty's Royal Perſon and Government, may be made known in all Places, and in all Pariſh-Churches of His Majeſty's Dominions.

That all things betwixt the Kingdoms of *England* and *Scotland* be reduced into the ſame State as they were in before the Troubles.

That the King and Prince will reſide in *Scotland*, ſo far as to know and be acquainted with the People there.

That an *Act of Oblivion* ſhall paſs for *Scotland*; out of which ſhall be excepted all the *Scotiſh* Prelates; as alſo *John* Earl of *Traquair*, Sir *Robert Spotſwood*, Sir *John Hay*, and Mr. *Walter Blacanqual*, cited and purſued as Incendiaries betwixt the Kingdoms; or any other Perſons who ſhall be cited by the Parliament of *Scotland*, and proved to be ſuch.

That neither *England* nor *Ireland* ſhall make War upon *Scotland* without Conſent of the Parliament of *England*: And if any ſuch make ſuch War, they ſhall be eſteem'd Traytors.

Part of Sir *Edward Deering*'s Speech againſt the Remonſtrance.

Pag. 312. *THis Remonſtrance. whenever it paſſeth, will make ſuch an Impreſſion, and leave ſuch a Character behind, both of His Majeſty, the People, the Parliament, and of this preſent Church and State, as no Time ſhall ever eat it out, while Hiſtories are written, and Men have Eyes to read them. How curious then ought we to be, both in the Matter and the Form? Let us be ſure that every particular Subſtance be a Truth; and let us cloath that truth with a free Languge, yet a modeſt and a ſober Language.*

To what end do we decline thus to them that look not for it? Wherefore is this deſcenſion from a Parliament to a People? they look not for this ſo extraordinary Courteſy. The better Sort think beſt of us: And why are we told that the People are expectant for a Declaration.

I did never look for it of my Predeceſſors in this Place, nor ſhall do from my Succeſſors. I do here profeſs, that I do not know any one Soul in all that Country for which I have the Honour to ſerve, who looks for this at your hands. They do humbly and heartily thank you for many good Laws and Statutes already enacted, and pray for more. That is the Language beſt underſtood of them, and moſt welcome to them. They do not expect to hear any other Stories of what you have done, much leſs Promiſes of what you will do.

When I firſt heard of a Remonſtrance, I preſently imagined, that, like faithful Counſellors, we ſhould hold up a Glaſs unto His Majeſty: I thought to repreſent unto the King the wicked Counſels of pernicious Counſellors; the reſtleſs Turbulency of practical Papiſts; the Treachery of falſe Judges; the bold Innovations and ſome Superſtition brought in by ſome pragmatical Biſhops, and the rotten part of the Clergy.

I did not dream that we ſhould remonſtrate downward, tell Stories to the People, and talk of the King as of a third Perſon.

You ſay, Idolatry is introduced by Command of the Biſhops. Who ever read or heard of ſuch a Command?

The

The Learned, Pious, and Painful Biſhop of Durham, (Morton) *hath fought in Front againſt* Roman *Superſtition and Idolatry.*

The Biſhop of Lincoln (Williams) *was the firſt of Note, that gave Check unto our Papal Miſleaders, and Altarian Innovators. He ſtood in the Gap of that Inundation, and was a Sufferer for us.*

The Biſhop of Exeter (Hall) (*however miſtaken in the Divinity of Epiſcopacy*) *hath ever had the repute both of a good Man and a good Biſhop. He hath not only held and maintain'd his Station, but advanced alſo, and made good Impreſſion upon the Idolaters of* Rome.

This hath been a very Accuſative Age; yet have I not heard any Superſtition (*much leſs Idolatry*) *charged* (*much leſs proved*) *upon the ſeveral Biſhops of* London (Juxon), Wincheſter (Curle), Cheſter (Bridgman), Carliſle (Potter), Chicheſter (Duppa).

Laſtly, You promiſe in general Words, That Learning ſhall rather be advanced than diſcouraged: Sed quid verba audio, facta cum videam?

Religious Learning, in this Remonſtrance, is, for one half thereof, unthought on.

It is one thing to be able to Preach, and another to confute the perverſe Adverſaries of Truth: One gives you the wholeſome Food of ſound Doctrine, the other maintains and defends it for you. Theſe double Abilities, theſe ſeveral Sufficiencies ſeldom meet together in one and the ſame Man.

The more you look for from the Pulpit, the leſs you muſt expect from the Pen.

How ſhall a Man, with One-hundred Pounds (*perhaps Two-hundred Pounds*) per Annum, *with a Family, and with conſtant Preaching, be able to diſcharge this ſo chargable, ſo difficult a work? Six-hundred Pounds is but a mean expence in Books, and will advance but a moderate Library. Pains and Learning muſt have a Reward of Honour and Profit proportional.*

In concluſion, I do beſeech you all, never to ſuffer diverſion or diminution of the Rents we have for Learning and Religion.

Never let it be ſaid, that ſacred Learning (*for ſuch is that I plead for*) *ſhall, in one eſſential half thereof, be quite unprovided for in* England.

Thus I have done: And because I do not know any necessary good end and use of this Declaration, but do fear a bad one; and because we pass His Majesty, and do remonstrate to the People, I do here discharge my Vote with a clear Conscience, and must say, NO, *to this strange Remonstrance.*

The King's Answer, at the presenting of the Remonstrance.

THE presenting of it was put upon Sir *Edward Deering*, but he avoided it by being absent, and so it was done by Sir *Ralph Hopton*, who, the next Day, made report to the House as followeth.

Sir *Ralph Hopton* reports to the House, the delivery of the Petition and Remonstrance to the King yesterday, at *Hampton-Court*; being the first of *December*.

He said, that the last Night in the Evening, he, and those that accompanied him, came into *Hampton-Court*, where, meeting with Sir *Richard Wynn*, he went in to His Majesty, and gave him notice of our being there; and, within a quarter of an Hour, the *King* sent a *Gentleman Usher*, to call us in, with Directions, None to come in but ourselves. Whereupon I did, according to your Order, and the rest with me, upon our *Knees*, present the *Petition* and *Remonstrance*, and begun to read it kneeling; but His Majesty would not permit that, but commanded us all to rise; and so I read it.

The first thing that His Majesty spake at the reading thereof, was to that part of the *Petition*, that charges a malignant Party to be about His Majesty, with a design to change *Religion*; to which, His Majesty, with a hearty Fervency, said, *The Devil take him, whosoever he be, that has a design to change Religion.* Then I proceeded to read on, and when I came to that part of the Remonstrance, of reserving the Lands of the *Rebels* in *Ireland* towards the suppressing them, His Majesty spake and said, *We must not dispose of the Bear's Skin till the Bear be dead.*

After the *Petition* was read, His Majesty said he desir'd to ask us some Questions; but I answer'd, we had no Power to speak to any thing, but wherein we had Commission. Then said His Majesty, *Doth the House intend to publish this Decla-*

Declaration? We ſaid we could not anſwer to it. *Well then*, ſaid His Majeſty, *I ſuppoſe you do not expect a preſent Anſwer to ſo long a Petition; but this let me tell you, I have left* Scotland *well in Peace; they are well ſatisfied with me, and I with them: And though I ſtaid longer than I expected, I think if I had not gone, you had not been ſo ſoon rid of the Army. I ſhall give you an anſwer to this Buſineſs with as much ſpeed as the weight thereof will permit.* And ſo was pleaſed to give us all his Hand to kiſs; and thereupon we took our leave; and afterwards Mr. Comptroller came to us with this Meſſage, That the King deſired there ſhould be no publiſhing of this Declaration, till we had received his Anſwer. We were all that Night treated by Mr. Comptroller at Supper, and entertain'd with great Reſpect, and lodged by the King's Harbinger.

An Addreſs to His Majeſty in the Name of the Commons aſſembled in Parliament, by a Committee of that Houſe, *verbally* deliver'd by Mr. *Denzil Hollis*, praying a Guard, and an Anſwer without Delay.

Moſt Gracious Sovereign!

WE are ſent by the Knights, Citizens, and Burgeſſes of the Houſe of Commons, your Faithful and Loyal Subjects, (who are ready to lay down their Lives and Fortunes, and to ſpend the laſt drop of their Blood to maintain your Crown and Royal Perſon in Greatneſs and Glory, and do, by us, caſt themſelves down at your Royal Feet) to preſent unto Your Majeſty their humble Deſires, upon their great Apprehenſions and juſt Fears of miſchievous Deſigns and Practices to ruine and deſtroy them. There have been ſeveral Attempts heretofore to bring Deſtruction upon their whole Body at once, and Threats and Menaces againſt their particular Perſons. There is a malignant Party bitterly envenom'd againſt them, daily gathering Strength and Confidence; and now come to ſuch a height, as they have given boldneſs to ſome to imbrue their hands in the Blood of Your Subjects, in the Face aud at the Doors of the Parliament; and at Your Majeſty's own Gates; and have given out menacing

nacing Speeches against the Parliament itself. This causeth great Distractions among the People in general, and much fear and apprehension in the House of Commons; That they conceive they cannot with the Safety of their Persons (upon which the Peace and Safety of the whole Kingdom doth now depend) sit any longer unarm'd and unguarded. They have therefore their recourse unto Your Majesty, most humbly beseeching you, that it may stand with your good liking, if they provide for their own Safety, which the very Law of Nature and Reason doth allow unto them. It is their humble desire, that they may have a Guard out of the City of London, *Commanded by the Earl of* Essex, *Lord Chamberlain of Your Majesty's Houshold, of whose Fidelity to Your Majesty and the Commonwealth, they have had long Experience. By this Your Majesty's Grace and Favour, you will remove their Fears, fill them with Comfort and Assurance, and enable them to serve Your Majesty in such a way, as shall render Your Majesty and Government Happy and Glorious. And to this they do most humbly desire your Majesty's Gracious and Speedy Answer, because their Safety and the Safety of the whole Kingdom depends upon it, and will not admit of any Delay.*

On *Monday* following His Majesty returned this Answer.

WE have taken the last Message from you, touching your desire of a Guard, into our serious Consideration; and truly, with great Grief of Heart, that (after a whole Year's Sitting of this Parliament, wherein you have obtained those things for the Happiness and Security of yourselves and the rest of our Subjects as no Age can equal, instead of reaping, in Peace and Tranquility, the Fruits of your Labours and of our Grace and Affection to our People) we should find Jealousies, Distrusts, and Fears, still so prevalent among you, as to induce you to declare them unto us in so high a measure as you have done at this time.

We are wholly ignorant of the Grounds of your Apprehensions; but this we do protest before Almighty God, (to whom we must be accountable for those whom he hath intrusted to our Care and Protection) that had we any knowledge or belief of the least design in any, of violence, either for-

formerly, or at this time, against you, We would pursue them to condign Punishment, with the same Severity and Detestation, that We would do to the greatest attempt upon Our Crown.

We know the Duty of that Place where GOD hath set Us, the Protection We owe to all Our Loyal Subjects, and most particularly to you, called to Our Service by Our Writs. And We do engage unto you solemnly, by the Word of a King, *that the Security of all and every one of you from violence, is, and shall ever be as much Our Care, as the Preservation of* Us *and Our Children.*

And if this general Assurance shall not suffice to remove your Apprehensions, We will Command such a Guard to wait upon you, as We will be responsible for to Him, who hath charged Us with the Safety and Protection of Our Subjects.

Bishops accused of High-Treason.

AT a Conference by a Committee of Both Houses, the Lord Keeper, in the Name of the House of Peers, delivered as followeth: *P.*353.

That this Petition and Protestation of the Twelve Bishops, contained Matters of high and dangerous Consequence, and such as my Lords are very sensible of, and such as require a speedy and sudden Resolution; it extending to the deep entrenching upon the Fundamental Privileges and Being of Parliaments. Therefore the Lords have thought fit, that this Matter concerning the whole Parliament, may be communicated to the House of Commons; it being a thing of so great and so general a Concernment.

Mr. *Glyn* was order'd to go to the Lords, and at their Bar, in the Name of the House of Commons, and all the Commons of *England*, to accuse these Twelve Prelates of High-Treason, for endeavouring to subvert the Fundamental Laws of the Realm, and the very Being of Parliaments, manifested by preferring that Petition and Protestation; and to desire the Lords that they may be forthwith sequester'd from Parliament, and put into safe Custody; and that their Lordships would appoint a speedy Day for the Commons to charge

charge them, and they to answer, for that the Commons were ready to make good their Charge.

The same Day, by eight a Clock at Night, the Bishops were all committed to the *Tower*, except the Bishop of *Durham*, and the Bishop of *Litchfield* and *Coventry*, who were committed to the Black-Rod.

The Lords assigned these Lawyers to be of Council for the Bishops, *viz.* Mr. *Lane* the Prince's Attorney, Sir *Thomas Gardiner*, Knight, Recorder of *London*, *John Hearne*, *Challenor Chute*, *John Fountain*, *Matthew Hale*, and *Arthur Treavor*.

Pag. 358. WHen the King was looking about the House for the Impeached Members, the Speaker standing below by the Chair, His Majesty asked him, Whether any of those Persons were in the House? Whether he saw any of them? And where they were? To which the Speaker, falling on his Knee, thus answered.

May it please Your Majesty,

I Have neither Eyes to see, nor Tongue to speak, in this place, but as the House is pleased to direct me, whose Servant I am here; and humbly beg Your Majesty's Pardon, that I cannot give any other Answer than this, to what Your Majesty is pleased to demand of me.

A List of those Persons nominated and recommended by the House of Commons, to His Majesty, as Persons fit to be entrusted with the Militia *of the Kingdom; wherein they desire the concurrence of the House of Peers.*

Pag. 432. BErkshire, Earl of *Holland*; *Bedfordshire*, Earl of *Bullingbrook*; *Buckinghamshire*, Lord *Paget*; *Cambridgeshire*, and the Isle of *Ely*, Lord *North*; *Cheshire*, and the County and City of *Chester*, Lord *Strange*; *Cornwal*, Lord *Roberts*; *Cumberland*, Lord *Gray* of *Wark*; *Derby*, Earl of *Rutland*; *Devonshire*, and

and of the County and City of *Exon*, Earl of *Bedford*; *Dorſetſhire*, and the County of the Town of *Pool*, Earl of *Saliſbury*; for the Iſle of *Purbeck*, County of *Dorſet*, Sir *John Banks*, Knight, Lord Chief Juſtice of the Common-Pleas, and Conſtable of *Corf*-Caſtle; *Durham*, Sir *Henry Vane*, Senior; *Eſſex* Earl of *Warwick*; *Glouceſterſhire*, and of the County and City of *Glouceſter*, Lord *Shandois*; *Hampſhire*, and of the Town and County of *Southampton*, and of the Iſle of *Wight*, Earl of *Pembroke*; *Hartfordſhire*, Earl of *Saliſbury*; *Herefordſhire*, Lord *Dacres*; *Huntingtonſhire*, Lord *Mandevile*; *Kent*, and the City and County of *Canterbury*, Earl of *Leiceſter*; County of *Lancaſter*, Lord *Wharton*; *Leiceſter*, Earl of *Stamford*; *Middleſex*, Earl of *Holland*; County of *Northampton*, Lord *Spencer*; *Nottingham*, and of the Town and County of *Nottingham*, Earl of *Clare*; *Northumberland*, and of the Town and County of *Newcaſtle*, and of the Town of *Berwick*, Earl of *Northumberland*; *Norfolk*, and of the County and City of *Norwich*, Earl of *Warwick*; *Oxfordſhire*, Lord Viſcount *Say* and *Seal*; *Rutland*, Earl of *Exon*; *Salop*, Lord *Littleton*, Lord-Keeper of the Great Seal of *England*; *Somerſet*, Marquis of *Hertford*.

That the Lieutenant of the County of *Worceſter*, ſhall be nominated before *Somerſet*.

Staffordſhire and of the County of the City of *Litchfield*, Earl of *Eſſex*; *Suffolk* Earl of *Suffolk*; *Surry*, Earl of *Nottingham*; *Suſſolk*, Earl of *Northumberland*; *Warwick*, and of the Conuty of the City of *Coventry*, Lord *Brook*; *Weſtmorland*, Earl of *Cumberland*; *Wiltſhire*, Earl of *Pembroke*; *Wigorn*, and of the County of the City of *Worceſter*, Lord *Edward Howard* of *Eſcrig*; for the County and City of *Briſtol*, Mr. *Denzil Hollis*; *Yorkſhire*, and of the County of the City of *York*, and of the County of the Town of *Kingſton* on *Hull*, Earl of *Eſſex*; of the Parts of *Keſtaven* and *Holland*, and the County of the City of *Lincoln*, Earl of *Lincoln*; for the Parts of *Lindſey*, in the County of *Holland*, Lord *Willoughby* of *Parham*; *Monmouth*, Lord *Philip Herbert*; Iſle of *Angleſey*, Earl of *Northumberland*; *Brecknock*, Lord *Philip Herbert*; *Cardigan*, Earl of *Carbury*; *Carmarthen*, and *Carmarthen* Town, Earl of *Carbury*; *Carnarvan*, Earl of *Pembroke*; *Denbigh*, Lord *Fielding*; *Flintſhire*, Lord *Fielding*; *Glamorgan*, Lord *Philip Herbert*; *Montgomery*, Earl of *Eſſex*;

Me-

Merioneth, Earl of *Pembroke*; *Pembroke*, and the Town of *Haverford-West*, Earl of *Northnmberland*; *Radnor*, Lord *Littleton*, Lord-Keeper.

That for the Levying, Ordering, and Exetciſing of the *Militia* of the City of *London*, Power is given unto Sir *John Gaire*, Sir *Jacob Garret*, Knights and Aldermen; *Thomas Atkin*, Alderman; Sir *John Wollaſtone*, Knight and Alderman; *John Warner*, Alderman; and *John Towſe*, Alderman; Serjeant Major-General *Skippon*, or any three or more of them; *Randolf Manwaring*, *William Gibbs*, *John Fowke*, *James Bunce*, *Francis Peck*, *Samuel Warner*, *James Ruſſel*, *Nathaniel Wright*, *William Barkley*, *Alexander Norminghton*, *Stephen Eſtweek*, *Owen Rowe*, Citizens of *London*, or any Six or more of them.

Pag. 428. THE Uſher of the Black-Rod came to the Commons Houſe to call the Speaker, upon *Monday Feb.* 14. and the Members up, to ſee two Bills paſſed by Commiſſion, *viz.*

The firſt to take away the Votes of Biſhops in Parliament, and all Temporal Juriſdictions and Offices, as to be Privy-Counſellors, Juſtices of the Peace, *&c.* from them and all others in Holy Orders.

The ſecond, for Preſſing of Soldiers for the Service of *Ireland*, reciting, That whereas by the Laws of the Realm, none of His Majeſty's Subjects ought to be Impreſſed, or compelled to go out of his Country to ſerve as a Soldier in the Wars, except in Caſe of Neceſſity of ſudden coming of ſtrange Enemies, or except they be bound by Tenure of their Lands; yet for the prevention of the Plots and Conſpiracies in the Kingdom of *Ireland* and this Kingdom of *England*, and for the ſuppreſſing of that dangerous Rebellion, it is enacted, That from the firſt of *December*, 1641, to the firſt of *November* 1642. the Juſtices, *&c.* may Raiſe, Levy, and Impreſs ſo many Men for Soldiers, Gunners, and Surgeons, as ſhall be appointed by His Majeſty and Both Houſes of Parliament, for the Service of *England* or *Ireland*. And if any refuſe, to be committed to Goal for Six Months, and alſo till he pay 10*l.* and for default of Payment, to remain in Priſon, without Baill or Mainprize, Twelve Months more.

The

The Votes of the Lords and Commons, upon the Propoſitions made by divers worthy and well-affected Perſons, for the ſpeedy and effectual reducing of the Kingdom of Ireland.

THE Lords and Commons taking into their ſe- *Pag.* 457.
rious Conſiderations, as well the Neceſſity of a ſpeedy reducing the Rebels in *Ireland* to their due Obedience, as alſo the great Summs of Money that the Commons of *England* have of late paid for the publick and neceſſary Affairs of the Kingdom, whereof the Lords and Commons are very ſenſible, and deſirous to embrace all good and honourable Ways tending to His Majeſty's Greatneſs and Profit, the ſettling of that Realm, and the eaſe of His Majeſty's Subjects of *England:* And whereas divers worthy and well-affected Perſons perceiving that many *Millions* of Acres of the Rebels Lands of that Kingdom, which go under the Name of *Profitable Lands*, will be confiſcate and to be diſpoſed of; and that in caſe Two Millions and an half of theſe Acres to be equally taken out of the Four Provinces of that Kingdom, may be allotted for the Satisfaction of ſuch Perſons as ſhall diſburſe any Summs of Money for the reducing of the Rebels there, would effectually accompliſh the ſame, have made theſe Propoſitions following:

1. That two Millions and a half of thoſe Acres may be aſſign'd, allotted, and divided amongſt them after this Proportion, *viz.*

For each Adventure of { 200*l.* / 300 / 450 / 600 } 1000 Acres in { *Ulſter.* / *Conaught.* / *Munſter.* / *Leinſter.* }

All according to the *Engliſh* Meaſure, and conſiſting of Meadow, Arable, and Profitable Paſture, the Bogs, Woods, and Barren Mountains being caſt in over and above thoſe Two Millions and an half of Acres, to be holden in *free and common Socage* of the King, as of his Caſtle at *Dublin.*

2. That out of theſe Two Millions and an half of Acres, a conſtant Rent ſhall be reſerved to the Crown of *England*, after this Proportion, *viz.*

Out

Out of each Acre thereof in { *Ulster* 1*d.*; *Conaught* 2½; *Munster* 2¼; *Leinster* 3

Whereby His Majesty's Revenue out of those Lands will be much improved, besides the Advantages that he will have by the coming to his Hands of all other the Lands of the Rebels, and their Personal Estates, without any Charge to His Majesty.

3. That for the erecting of *Mannors*, settling of Wastes and Commons, maintaining of *Preaching Ministers*, creating of Corporations, and regulating of the several Plantations, one or more Commissions be hereafter granted by Authority of Parliament.

Tuesday the 30th of *May*, 1643.

AT this time happen'd the Discovery of a notable Design, carried on by Mr. *Tomkins*, Mr. *Waller*, Mr. *Challoner*, and others: The first notice whereof, was given by one Mr. *Roe*, Servant to Mr. *Tomkins*, who having over heard some of their Consultations, imparted the same to a Member of the House of Commons. Whereupon a Committee was appointed to enquire into the same, *viz.* Mr. *Pym*, Sir *Henry Vane* Junior, Mr. Solicitor *St. Johns*, and Mr. *Glynn*, (not long before chosen Recorder of *London*) who having several Days and Nights traced the same, and divers of the Persons concern'd being secured, the House of Commons desired a Conference with the Lords, where Mr. *Pym* communicated to them the Substance of the Design, and soon after set the same forth in Print, with an Order that the same should be read in all Churches and Chapels, in *London* and *Westminster*, and the Suburbs thereof, as follows. *Vol.* II. *Part* I. *Pag.* 254.

I. That the Conspiracy was form'd of a Mixture and Conjunction of Persons, of several Qualities, some whereof were of Both Houses of Parliament, others of the City, and others belonging to the Court, who, in their respective Places and Imployments were to form and perfect the Work, raised out of the Ashes of the late Petition of *London* for Peace.

II. The chief Actors were, Mr. *Waller*, a Member of the House of Commons, who pretended and gave out to the rest, that

that many others of that Houſe, and of the Lords, were privy too, and concern'd therein; Mr. *Tomkins*, a Gentleman living in *Holburn*, Brother-in-Law to the ſaid Mr. *Waller*, and a Servant to the Queen, as being Secretary to the Commiſſioners for Her Majeſty's Revenue; Mr. *Challoner*, an eminent Citizen; one Mr. *Blinkard*; Mr. *Alexander Hampden*, who brought the laſt Meſſage from the King; Mr. *Haſſel*, one of His Majeſty's Meſſengers, *&c.*

III. The Method was, for ſeveral Perſons in the City to diſpoſe of themſelves into a Committee, to hold Intelligence with both Armies, the Court, and the Parliament. To take a general Survey of the Affections of all the Inhabitants within the Weekly Bills of Mortality; which was to be done under theſe three Ranks; *Right Men*, (or of the King's Party;) *Averſe Men*, (or the well-affected to the Parliament;) and *Moderate Men*, (or Neutrals:) To conſider of Arms, Ammunition, and all Proviſions of War: To appoint, out of themſelves, ſelect Perſons to treat with Mr. *Waller* and Mr. *Tomkins*, in relation to the City, Court, and Parliament; as alſo with Sir *Nicolas Criſpe*, Sir *George Binion*, Captain *Roydon*, and others then at *Oxford*.

IV. Mr. *Waller*'s Part was to engage a conſiderable part of the Lords and Commons, and to be a means of conveying Counſels, Reſolutions, and Intelligence between them and the ſaid City-Committee. Mr. *Tomkins* was not only an Aſſiſtant to Mr. *Waller* therein, but an Inſtrument to convey, by Mr. *Haſſel* and others, their Proceedings to the Court, principally to the Lord *Falkland*, and to receive thence Directions, Powers, and Commands.

V. For preventing Diſcovery, Proteſtations of Secrecy were taken, as they were Chriſtians, not to diſcloſe it; and no Man in the City was to endeavour the engaging above two, whereby no one Man could impeach many.

VI. From the Court Mr. *Heron*, and Mr. *Alexander Hampden*, and others, imploy'd upon Meſſages from the King to the Parliament, were to convey Directions, Encouragements, and Advice to thoſe in *London:* And Authority was to be given under the Great Seal, and Warrants under the King's Hand, for ſettling a Council of War, naming of Generals and other Officers, Execution of Martial Law, raiſing of Money, and providing Arms: And, to facilitate the whole, part of the King's Forces to be in a readineſs to aſſiſt the Party here, as there ſhould be occaſion.

VII. The Particulars of the Design itself were, To seize the King's Children, to secure several Members of Parliament, particularly the Lord *Say*, the Lord *Wharton*, Mr. *Pym*, Sir *Philip Stapleton*, Colonel *Hampden*, and Colonel *Strode*; as also the Lord Mayor and Committee of the Militia, under Pretence of bringing them to a legal Trial; to seize upon the Outworks, Forts, Magazines, Gates, and other Places of Importance in the City and the *Tower*, and let in the King's Forces; and, in the mean time, to resist and obstruct all Payments imposed by the Authority of the Two Houses for Support of their Armies.

The Parliament sent to General *Essex*, desiring him to appoint a Council of War for Trying of Mr. *Tomkins*, &c. which was done; and on *Friday*, the thirtieth of *June*, a Council of War sate at *Guildhal*, consisting of Twenty-two Colonels of the City, and of the Lord General's Army, the Earl of *Manchester* being President: Before whom Mr. *Tomkins*, Mr. *Challoner*, Mr. *Blinkhorn*, Mr. *Abbot*, Mr. *White*, and Mr. *Hampden*, were severally brought to the Bar, and their Examinations and Confessions produced by the Advocate-General, and read; and upon *Monday*, *July* 3d *Tomkins* and *Challoner* received Sentence of Death; and the next Day, *Blinkhorn* and *Abbot*: But *Hampden* being fallen sick, his Trial was put off; and as for Mr. *White*, the Court agreed not in their Judgment.

On the *Wednesday*, *July* 5. Mr. *Tomkins* was executed on a Gibbet, at the end of *Fetter-Lane*, in *Holburn*, near his own House. And the same Day Mr. *Challoner* Suffered in like manner over against the *Royal-Exchange*.

It was to be noted that Mr. *Tomkins* never so much as alter'd his Countenance, nor, by his outward Appearance seem'd in the least abashed with the Apprehension of Death

Articles between His Excellency Prince Maurice *and the Earl of* Stamford, *upon the Deliver of the City of* Exeter, September 5. 1643.

Maurice,

I. IT is concluded and agreed on, that the City and Castle of *Exon* be surrendred into the *Pag.* 33

Han

Hands of His Highneſs Prince *Maurice*, with all Arms, Enſigns, Ordinance, Ammunition, and all other Warlike Proviſions whatſoever, within the ſaid City and Caſtle.

II. That the Right Honourable *Henry* Earl of *Stamford*, together with all Officers above the Degree of Lieutenants, both of Horſe and Foot, now within and about this City and Caſtle, do March out of this City and Caſtle, on *Thurſday*, the 7th of this Month, by Nine of the Clock in the Morning, with their Troops of Horſe, full Arms, Bag and Baggage, provided it be their own Goods: And that the Lieutenants and Enſigns March out with their Swords, at the *Eaſt* Gate; and that the Foot-Soldiers March out at the ſame time, leaving their Arms at the *Guild-Hall:* All having a ſafe Convoy to *Windſor*, or to go elſewhere if they pleaſe; and ſuch as will ſtay, ſhall have pay in the King's Army.

III. That there be Carriages allowed and provided to carry away their Bag and Baggage, and Sick and Hurt Soldiers; and that an eſpecial Care be taken of ſuch Officers and Soldiers, as (being Sick and Wounded) ſhall be, by the Earl of *Stamford*, left behind in the ſaid City; and that upon their recovery, they ſhall have Paſſes to depart to their own Homes reſpectively.

IV. That the King's Forces March not into the City, till the Parliament's Forces are Marched out, except an Hundred Muſqueteers at the *Eaſt* Port, thro' which they paſs.

V. That His Highneſs ſhall forthwith procure a free and general Pardon, unto *Henry* Earl of *Stamford*, Sir *George Chidleigh*, Sir *John Bampfield*, Sir *John Northcot*, Baronets; Sir *Samuel Roberts*, and Sir *Nicholas Martin*, Knights; and unto the Mayor, Bailiffs, and Commonalty of the City of *Exon*, and to all other Perſons of what Degree, Condition, or Quality ſoever, now being within the ſaid City of *Exon*, for all Treaſons and other Offences whatſoever, committed by them or any of them, ſince the Beginning of this preſent Parliament, relating to theſe unhappy Differences between His Majeſty and the Two Houſes of Parliament; and that all or any of them ſhall have His particular Pardon for the aforeſaid Offences or Treaſons, if he ſhall ſue forth the ſame.

VI. That the true *Proteſtant* Religion, now eſtabliſhed by Law, ſhall be preſerved and exerciſed in the City.

VII. That all Persons, Citizens, and Inhabitants, may, at any time, depart with their Families, Goods, and Estates, unto any part of this Kingdom; and that they and every of them, shall have Power to Dispose, Sell, or Alien, either by themselves or others, whatsoever Goods or parts of their Estates they shall not convey or carry with them.

VIII. That all Persons now in this City, may have free Liberty to repair to their Houses in the Country, or elsewhere, and there to remain in Safety, and enjoy their Estates, Lands, Rents, and Goods, without Plundering, Fine, or Imprisonment, or any other Molestation, and may travel to and fro, without any Interruption, Hindrance, or Denial.

IX. That all Ministers, and Preachers of GOD's Word; now within this City, shall have free Liberty either to stay here, or go to their own Houses, Cures, or Charges, or elsewhere, within His Majesty's Dominions, with their Wives, Children, Families, and Goods, there to abide peaceably, and to exercise their Ministerial Functions, and to enjoy their Estates according to the Laws of the Land.

X. That all the Charters, Liberties, Privileges, and Franchises, Lands, Estates, Goods, and Debts, of the said City shall be preserved and confirmed: And that the ancient Government, and the present Governours and Officers, may remain and continue in their former Condition.

XI. That no new Oath or Protestation be enforced upon any, nor any compel'd to take up Arms against the Parliament.

XII. That, for avoiding Inconveniencies and Distractions, the Quartering of Soldiers be referred to the Mayor and Governour of the City for the time being.

XIII. That all these Articles which are now agreed upon, shall be Ratified and Confirmed by His Majesty, under the Great Seal of *England*.

XIV. That the Officers and Soldiers, in their Marching out, shall not be reproached, or have any disgraceful Speeches or Affronts offered or given unto them, by any Officer or Soldier of the King's: And that the Convoy appointed to March with them, may go and return safely, without any violence or wrong offer'd unto them, by any Forces of the Adverse Party.

Stamford. | *Chr. Clarke*, Mayor.
Richard Cave. | *Jos. Bamfield.*

The

The Names of the Lords and Commons assembled in Parliament, at Oxford, Jan. 27. 1643.

CHARLES, Pr.
YORK.
Cumberland.
Ed. Littleton, C. S.
Fra. Cottington.
D. *Richmond.*
M. *Hartford.*
E. *Lindsey.*
E. *Dorset.*
E. *Shrewsbury.*
E. *Bath.*
E. *Southampton.*
E. *Leicester.*
E. *Northampton.*
E. *Devonshire.*
E. *Carlisle.*
E. *Bristol.*
E. *Berkshire.*
E. *Cleveland.*
E. *Rivers.*
E. *Dover.*
E. *Peterborough.*
E. *Kingston.*
E. *Newport.*
E. *Portland.*
V. *Conway.*
L. *Digby.*
L. *Mowbray* and *Maltravers.*
L. *Wentworth.*
L. *Cromwel.*
L. *Rich.*
L. *Paget.*
L. *Chandoys.*
L. *Howard* of *Charleton.*
L. *Lovelace.*
L. *Savile.*
L. *Mohun.*
L. *Dunsmore.*
L. *Seymour.*
L. *Piercy.*
L. *Wilmot.*
L. *Leigh.*
L. *Hatton.*
L. *Jermin.*
L. *Carrington.*
John Fettiplace, Esq;
Sir *Alex. Denton.*
Sir *John Packington.*
Sir *Tho. Smith.*
Francis Gamul, Esq;
John Harris, Esq;
Joseph Jane, Esq;
Richard Edgcombe, Esq;
Jonathan Rashleigh, Esq;
G. Fane, Esq;
P. Edgcombe, Esq;
Sir *Robert Holburne.*
Sir *Ra. Sydenham.*
Fra. Godolphin, Esq;
George Parry, Dr. of Law.
Ambrose Manaton, Esq;
Richard Vivian, Esq;
John Polewheele, Esq;
John Arundel, Esq;
Thomas Lower, Esq;
Sir *Edward Hyde.*
Will. Allestree, Esq;
Sir *George Stonehouse.*
Edward Seymour, Esq;
Peter Sainthill, Esq;
Sir *William Poole.*
Roger Matthew, Esq;
Richard Arundel, Esq;
Robert Walker, Esq;
Giles Strangways, Esq;
Sir *John Strangways.*

Sir *Thomas Hele.*
Sir *George Naper.*
Sam. Turner, Dr. in Phyſick.
Will. Conſtantine, Eſq;
Hen. Killigrew, Eſq;
Richard King, Eſq;
John Dutton, Eſq;
Henry Brett, Eſq;
William Chadwell, Eſq;
Sir *Theobald Gorges.*
John George, Eſq;
Sir *Thomas Fanſhaw.*
Humfrey Conningsby, Eſq;
Richard Seaborne, Eſq;
Arthur Lord *Ranelaugh.*
Thomas Tomkins, Eſq;
Sir *Sampſon Evers.*
Sir *John Culpeper.*
Geofrey Palmer, Eſq;
Sir *John Harriſon.*
Tho. Fanſhaw, Eſq;
Sir *Roger Palmer.*
Sir *Orlando Bridgman.*
William Watkins, Eſq;
John Smith, Eſq;
Sir *Tho. Bludder.*
Sir *Edward Littleton.*
Sir *Harvy Bagot.*
Sir *Rich. Leveſon.*
Sir *Richard Care.*
Rich. Weſton, Eſq;
Sir *Rich. Lee.*
Sir *Tho. Whitmore.*
Sir *Edw. Acton.*
C. Baldwin, Eſq;
R. Godwin, Eſq;
Tho. Howard, Eſq;
Tho. Littleton, Eſq;
Sir *Ro. Howard.*
Sir *John Meux.*
Matthew Davis, Eſq;
Sir *Fra. Cornwallis.*
Tho. Jermin, Eſq;
John Taylor, Eſq;
William Baſſet, Eſq;
Sir *William Portman.*
Sir *Edw. Rodney.*
Tho. Hanham, Eſq;
Edw. Philips, Eſq;
John Digby, Eſq;
Chriſt. Kirton, Eſq;
Edw. Lukenor, Eſq;
Sir *Edw. Alford.*
John White, Eſq;
John Aſhburnham, Eſq;
William Smith, Eſq;
Tho. Leeds, Eſq;
Sir *James Thynne.*
William Pleydell, Eſq;
Ro. Hide, Serjeant at Law.
Sir *Edw. Griffin.*
Sir *Walter Smith.*
George Lowe, Eſq;
Rich. Harding, Eſq;
Sir *Henry Herbert.*
Andr. Porter, Eſq;
Sam. Sandys, Eſq;
John Bodvill, Eſq;
William Morgan, Eſq;
William Thomas, Eſq;
John Moſtyn, Eſq;
Henry Bellaſis, Eſq;
Sir *George VVentworth.*
VVilliam Malory, Eſq;
Rich. Aldburgh, Eſq;
John Saliſbury, Eſq;
VVilliam Herbert, Eſq;
VVilliam Price, Eſq;
Sir *John Price.*
Sir *R. Herbert.*
Charles Price, Eſq;
Phil. VVarwick, Eſq;
Tho. Cook, Eſq;
Sir *Robert Crooke.*
Herb. Price, Eſq;
John VVhiſtler, Eſq;

Theſe

These Peers following, being disabled by several Accidents to appear sooner, have since attended the Service, and concurr'd with us.

Viscount *Cambden.*
Lord *Abergavenny.*
Lord *Arundel.*
Lord *Capel.*
Lord *Newport.*

Peers employ'd in His Majesty's Service, or absent with leave.

Marquis of *VVincheſter.*
Marquis of *VVorceſter.*
Marquis of *Newcaſtle.*
Earl of *Derby.*
Earl of *Huntingdon.*
Earl of *Clare.*
Earl of *Marlborough.*
Viscount *Falconbridge.*
Lord *Morley.*
Lord *Darcy* and *Conyers.*
Lord *Stourton.*
Lord *Evers.*
Lord *Daincourt.*
Lord *Pawlet.*
Lord *Brudenel.*
Lord *Powis.*
Lord *Herbert* of *Cherbury.*
Lord *Hopton.*
Lord *Loughborough.*
Lord *Byron.*
Lord *Vaughan.*
Lord *Withrington.*

Peers absent in the Parts beyond the Seas.

Earl of *Arundel.*
Earl of St. *Alban's.*
Viscount *Montague.*
Viscount *Stafford.*
Lord *Stanhope.*
Lord *Coventry.*
Lord *Goring,*
Lord *Craven* of *Hamsted.*
Lord *Craven* of *Ryton.*

Peers in Prison for their Loyalty to His Majesty.

Earl of *Chesterfield.*
Lord *Montague* of *Boughton.*

Whoever views these Numbers, and considers how many Peers are at this time under Age, will quickly know who and how many are Privy or Consenting to the Counsels at *VVestminster.*

These Members following being disabled by several Accidents to appear sooner, have since attended the Service, and concurred with us.

Peter Venables. Esq;
Sir *John Pawlet.*
Edward Bagshaw, Esq;
Sir *John Burlasey.*
Francis Newport, Esq;
Antony Hungerford, Esq;
John Russel, Esq;
Thomas Chicheley, Esq;
Earl of *Cork.*
Sir *Gervase Clifton.*
Sir *Guy Palmes.*
Robert Sutton, Esq;
Gervase Hollis, Esq;
Sir *Patricius Curwen.*
Sir *Henry Bellingham.*
Sir *George Dalston.*
Sir *Thomas Sandford.*
Sir *William Dalston.*
Michael Wharton, Esq;
Sir *Robert Hatton.*
James Scudamore, Esq;
Sir *John Brooke.*
Sir *John Stepney.*

Imploy'd in His Majesty's Service, or absent with Leave, or by Sickness.

Sir *John Fenwick.*
Hugh Potter, Esq;
Walter Kirle, Esq;
William Stanhope, Esq;
Sir *William Carnaby.*
Sir *Thomas Danby.*
John Fenwick, Esq;
Ralph Sneade, Esq;
Sir *William Ogle.*
Sir *Thomas Jermyne.*
Sir *John Stowel.*
Sir *Robert Strickland.*
Sir *Philip Musgrave.*
John Cowcher, Esq;
John Coventry, Esq;
Sir *Henry Slingsby.*
Sir *John Malory.*
John Bellasis, Esq;
Sir *Thomas Ingram.*
Lord *Mansfield.*
Tho. Hebblethwaite, Esq;
Sir *Hugh Cholmely.*
Sir *George Wentworth.*
Sir *Walter Lloyd.*
Sir *Henry Vaughan.*
Francis Lloyd, Esq;
John Vaughan, Esq;
Richard Ferrers, Esq;
George Hartnol, Esq;
Sir *William Udal.*
Robert Hunt, Esq;
Thomas May, Esq;
Sir *Tho. Bowyer.*
Sir *Tho. Roe.*

Whoever now considers how many have retired themselves into several Counties, and so are absent from *Westminster*, and

and yet cannnot, through the danger of Travelling, be present at *Oxford*; how many have withdrawn themselves into the Parts beyond the Seas; how many of their own principal Instruments are voted out of the House by themselves, as Sir *John Hotham* and his Son, Sir *Alexander Carew*, Mr. *Martin*, Mr *Fiennes*, and many others; and how many now are imprison'd by them; how many Members, from the beginning have been factiously kept from the House, upon Questions of Election; and how many, without any colour, are kept in, by not suffering their Elections to be reported; and that there are Thirty-five Members dead, into whose rooms no new Persons are chosen; how many since are become Barons by Descent, or Creation, will easily conclude how small the number is which remains; and of those how few, in truth, have Right to sit there.

Matters relating to Archbishop Laud's *Tryal.*

THis Eminent Prelate being accused by the Commons, of High-Treason, *Dec.* 18. 1640. and thereupon committed to the *Black-Rod*, on the 26th of *Feb.* following, Articles were brought in against him, and then he was sent to the *Tower*; and there continued till *Octob.* 23. 1643. when Additional Articles were carried up to the House of Lords, of this Tenor: Clarend. *Vol.* II. *Part* 2. *pag.* 572.

I. That the said Archbishop, to introduce an Arbitary Government within this Realm, and to destroy Parliaments in the third and fourth Years of His Majesty's Reign, Traiterously and Maliciously caused the Parliament then sitting, to be dissolved, calling it a *Factious Parliament*, &c.

II. That within the space of Ten Years last past, the said Archbishop hath treacherously endeavour'd to subvert the Fundamental Laws of this Realm, by advancing the Power of the Council Table, the Canons of the Church, and the King's Prerogative above the Laws and Statutes of the Realm.

III. That to advance the Canons of the Church and Power Ecclesiastical above the Law of the Land, he hath at divers times, by his Sollicitations used to Judges, opposed and stopped the Granting of His Majesty's Writs of Prohibition, where

where the ſame ought to have been granted for ſtay of Proceedings in the Eccleſiaſtical Court.

IV. That about Seven Years ago, a Judgment being given in the *King's-Bench* againſt one *Burley* a Parſon, of a bad Life and Converſation, for wilful Non-reſidency, he cauſed Execution upon the ſaid Judgment to be ſtaid.

V. That about Eight Years ago, being then a Privy-Counſellor, he cauſed Sir *John Corbet* of *Stoke* in *Shropſhire*, a Juſtice of Peace of the ſaid County, to be committed to the Priſon of the *Fleet*, where he continued half a Year or more, only for calling for the *Petition of Right*, and cauſing it to be read at the Seſſions of the Peace for that County, upon a juſt and neceſſary occaſion.

VI. That whereas divers Gifts and Summs of Money were heretofore given for buying in Impropriations to maintain the preaching of GOD's Word in ſeveral Churches, the ſaid Archbiſhop, about Eight Years ago, cauſed the ſaid Gifts to be overthrown in his Majeſty's Exchequer.

VII. That he hath received, harboured, and relieved divers Popiſh Prieſts and Jeſuits, particularly one *Sancta Clara*, alias *Damport*.

VIII. That about Four Years ago he declared there muſt be a Blow given to the Church, ſuch as had not been yet given, before it could be brought to Conformity.

IX. That in 1640, preſently after the Diſſolution of the laſt Parliament, he cauſed a Convocation of the Clergy to be held, wherein divers Canons and Conſtitutions Eccleſiaſtical were made, contrary to the Laws of this Realm, the Rights and Privileges of Parliament, the Liberty and Property of the Subject.

X. That a little before the Calling of the laſt Parliament, 1640, a Reſolution being then taken at the Council Table, by the Advice of the ſaid Archbiſhop, for aſſiſting of the King in extraordinary Ways, if the Parliament ſhould prove peeviſh, and refuſe to ſupply His Majeſty; the ſaid Archbiſhop adviſed His Majeſty to diſſolve the ſaid Parliament; and preſently after told him, he was now abſolved from all Rules of Government, and left free to uſe extraordinary Ways for His Supply.

The Archbiſhop was order'd by the Lords to put in his Anſwer in Writing into the Houſe, *Oct.* 30. 1643. But upon his ſeveral Petitions the Trial was deferr'd till *March* 12. 164[illegible].

At

At which time he was allow'd the Attendance of *W. Dell*, *Richard Cobb*, and *George Smith*, his Servants: And had aſſign'd him for Council, Mr. *Hearne*, Mr. *Chute*, Mr. *Richard Gerard*, and Mr. *Hales*. The Perſons appointed by the Commons to make good their Charge againſt him, were Mr. *Maynard*, Sergeant *Wyld*, Mr. *Brown*, and Mr. *Nicholas*. The Lords refuſed (at the Requeſt of the Archbiſhop and his Council) to declare before the Trial, which of the Articles were intended to be Charges of Crimes and Miſdemeanors, and which of High-Treaſon.

When Sergeant *Wyld* had ſpoke to the Houſe of Peers by way of Introduction to the Proof of the Charge, the Archbiſhop deſired that he might have liberty to ſpeak a few words, to wipe off that Dirt that had been caſt upon him; which the Lords granting, he made the following Speech, which he had prepared for that occaſion, holding it written in a Paper in his Hand.

My Lords,

MY being in this place in this Condition, recals to my Memory that which I long ſince read in Seneca: Tormentum eſt, etiamſi abſolutus quis fuerit, cauſam dixiſſe. *'Tis not a Grief only; No; 'tis no leſs than a Torment for an Ingenuous Man to plead Capitally or Criminally, tho' it ſhould ſo fall out that he be abſolved. The great Truth of this I find at preſent in myſelf: Aud ſo much the more becauſe I am a Chriſtian; and not that only, but in Holy Orders; and not ſo only, but, by GOD's Grace and Goodneſs, preferred to the greateſt Place this Church affords: And yet brought* Cauſam dicere, *to plead for myſelf at this great Bar.*

And whatſoever the World thinks of me (and they have been taught to think much more Ill of me than, I humbly thank CHRIST *for it, I was ever acquainted with) yet, my Lords, this I find,* Tormentum eſt, *'tis no leſs than a Torment to me to appear in this place.*

For as for the Sentence, be it what it ſhall; I thank GOD for it, I am at St. Paul's *Word,* (Acts 25. 11.) If I have committed any thing worthy of Death, I refuſe not to die: *For I thank GOD I have ſo lived, as that I am neither afraid to die, nor aſham'd to live. But ſeeing the Malignity which hath been raiſed againſt me by ſome Men, I have carried my very Life in my Hands theſe divers Years paſt. But yet, my Lords, if there be none of theſe things whereof*

whereof they accuſe me, tho' I may not in this Caſe, and from this Bar, appeal unto Cæſar, *yet to your Lordſhips Juſtice and Integrity I both may and do; not doubting but that GOD of his Goodneſs will preſerve my Innocency.*

And as Job, *in the midſt of his Affliction, ſaid to his miſtaken Friends, ſo ſhall I to my Accuſers*; GOD forbid I ſhould juſtify you; till I die I will not remove mine Integrity from me; I will hold it faſt and not let it go; my Heart ſhall not reproach me as long as I live, *Job* xxii. 5.

My Lords, The Charge againſt me is brought up in Ten Articles, but the main Heads are Two: An endeavour to ſubvert the Laws of the Land and the Religion eſtabliſhed. Six Articles (the five firſt and the laſt) concern the Laws, and the other four Religion.

For the Laws firſt, I think I may ſafely ſay, I have been, to my Underſtanding, as ſtrict an Obſerver of them all the Days of my Life, ſo far as they concern me, as any Man hath; and ſince I came into this Place I have followed them, and been as much guided by them, as any Man that ſate where I had the Honour to ſit. And of this I am ſorry I have loſt the Teſtimony of the Lord-Keeper Coventry, *and other Perſons of Honour ſince dead.*

And the Council which attended at the Council-Board can witneſs, ſome of them here preſent, that in all References to the Board, or Debates ariſing at the Board, I was for that part of the Cauſe where I found Law to be: And if the Council deſired to have the Cauſe left to the Law, well I might move in ſome Caſes Charity or Conſcience to them; but I left them to the Law, if thither they would go. And how ſuch a Carriage as this, through the whole Courſe of my Life, in private and publick, can ſtand with an Intention to overthrow the Laws, I cannot yet ſee.

Nay more, I have ever been of Opinion that Laws bind the Conſcience, and have accordingly made Conſcience of obſerving them: And this Doctrine I have conſtantly preached as occaſion hath been offered me: And how is it poſſible I ſhould ſeek to overthrow thoſe Laws which I held my ſelf bound in Conſcience to keep and obſerve?

As for Religion, I was born and bred up in, and under the Church of England, *as it ſtands eſtabliſhed by Law: I have, by GOD's Bleſſing grown up in it, to the Years which are now upon me, and to the Place of Preferment which I now bear. I have, ever ſince I underſtood*

ought

ought in my Profession, kept one constant Tenor in this my Profession, without variation, or shifting from one Opinion to another, for any worldly Ends: And if my Conscience would have suffer'd me to do so, I could easily have slid thro' all the Difficulties which have prest upon me in this kind. But of all Diseases, I have ever held a Palsie in Religion most dangerous; well knowing and remembring that Disease often ends in a dead Palsie.

Ever since I came in Place, I have labour'd nothing more, than that the external Publick Worship of GOD (so much slighted in divers Parts of the Kingdom) might be preserved, and that with as much Decency and Uniformity as might be: For I evidently saw, that the publick neglect of GOD's Service, in the outward face of it, and the nasty lying of many places dedicated to that Service, had almost cast a Damp upon the true and inward Worship of GOD, which, while we live in the Body, needs external Helps, and all little enough to keep it in any Vigour. And this I did to the uttermost of my knowledge, according both to Law and Canon, and with the Consent and liking of the People: Nor did any Command issue out from me, against the one, or without the other.

Further, my Lords, give me leave, I beseech you, to acquaint you with this also, that I have as little acquaintance with Recusants, as, I believe, any Man of my Place, of England, *hath, or ever had, since the Reformation: And for my Kindred, no one of them was ever a Recusant, but Sir* William Web, *Grandchild to my Uncle Sir* William Web, *sometime Lord Mayor of* London, *and since which, some of his Children I reduced back again to the Church of* England.

On this, one thing more I humbly desire may be thought on, that I am fallen into a great Obloquy in Matter of Religion, and that so far, (as appears by the Articles against me) that I have endeavoured to advance and bring in Popery. Perhaps, my Lords, I am not ignorant what Party of Men have raised these Scandals upon me, nor for what end, nor perhaps, by whom set on. But howsoever, I would fain have a good reason given me, if my Conscience stood that way, and that with my Conscience I could subscribe to the Church of Rome, *what should have kept me here before my Imprisonment, to endure the Libelling, and the Slanders, and the base Usage that hath been put upon me, and*

these

these to end in this Question for my Life? I say I would know a good Reason for this.

First, my Lords, Is it because I have any Pledges in all the world to sway me against my Conscience? No sure, for I have neither Wife nor Children to cry out upon me to stay with them: And, if I had, I hope the calling of my Conscience should be heard above them.

Is it because I was loath to leave the Honour and Profit of the Place I was risen to? Surely no; for I desire Your Lordships and all the World to know, I do much scorn the one and the other, in comparison of my Conscience. Besides, it cannot be imagined by any Man, but that, if I should have gone over to them, I should not have wanted both Honour and Profit, and suppose not so great as this I have here, yet sure, would my Conscience have served my self of either, less with my Conscience would have prevailed with me more than greater against my Conscience.

Is it because I lived here at ease, and was loath to venture the loss of that? not so neither; for, whatsoever the World may be pleased to think of me, I have led a very painful Life, and such as I would have been content to change, had I well known how: And, would my Conscience have served me that way, I am sure I might have lived at far more ease, and either have avoided the barbarous Libelling and other bitter grievous Scorns which have been put upon me, or, at least, been out of the hearing of them.

Not to trouble your Lordships too long, I am so innocent in the business of Religion, so free from all Practice, or so much as thought of Practice, for any alteration unto Popery, or any blemishing the true Protestant Religion established in England, *as I was when my Mother first bore me into the World. And let nothing be spoken but truth, and I do here challenge whatsoever is between Heaven and Hell, that can be said against me in point of my Religion, in which I have ever hated Dissimulation. And, had I not hated it, perhaps I might have been better for worldly Safety than now I am: But it can no way become a Christian Bishop to halt with GOD.*

Lastly, If I had any Purpose to blast the true Religion established in the Church of England, *and to introduce Popery, sure I took a wrong way to it: For, my Lords, I have staid more going to* Rome, *and reduced more that were already gone, than, I believe, any Bishop or Divine in this King-*

Kingdom hath done ; and ſome of them Men of great Abilities, and ſome Perſons of great Places; and is this the way to introduce Popery? My Lords, if I had blemiſhed the true Proteſtant Religion, how could I have brought theſe Men to it? And if I had promiſed to introduce Popery, I would never have reduced theſe Men from it.

And, that it may appear unto your Lordſhips how many and of what Condition the Perſons are, which, by GOD's Bleſſing upon my Labours, I have ſettled in the true Proteſtant Religion eſtabliſhed in England, *I ſhall briefly name ſome of them, though I cannot do it in order of time as I converted them.*

Henry Birkinſtead, *of* Trinity College, Oxon, *ſeduced by a* Jeſuit, *and brought to* London; (the Lords and others conceiving him to be *Birkinhead* the Author of all the Libellous Popiſh *Oxford Aulicus's* againſt the Parliament, at the naming of him ſmiled; which the Archbiſhop perceiving, ſaid, *my Lords, I mean not* Birkinhead *the Author of the* Oxford Aulicus, *but another.*)

Two Daughters of Sir Richard Lechford, *in* Surrey, *ſent towards a* Nunnery.

Two Scholars of St. John's *College,* Toppin *and* Aſhton, *who had got the* French *Ambaſſador's Paſs, and after this I allow'd Means to* Toppin, *and then procured him a Fellowſhip in St.* John's; *and he is at this time as hopeful a young Man as any of his time, and a Divine.*

Sir William Web, *my Kinſman, and two of his Daughters, and his Son I took from him, and his Father being utterly decayed, I bred him at my own Charge, and he is a very good Proteſtant.*

A Gentleman brought to me by Maſter Chesford *His Majeſty's Servant, but I cannot recal his Name.*

The Lord Mayo of *Ireland, brought to me alſo by Maſter* Chesford.

The Right Honourable the Lord Duke of Buckingham, *almoſt quite gone between the Lady his Mother and Siſter.*

The Lady Marqueſs Hamilton *was ſettled by my direction, and ſhe Died very Religiouſly and a Proteſtant.*

Maſter Digby, *who was a Prieſt.*

Maſter James, *a Gentleman brought to me by a Miniſter in* Buckinghamſhire, *as I remember.*

Doctor Hart, *the* Civilian, *my Neighbour's Son at* Fulham.

Maſter

Master Christopher Seabourn, *a Gentleman of an ancient Family in* Herefordshire.

The Right Honourable the Countess of Buckingham.

Sir William Spencer *of* Parnton.

Master Chillingworth.

The Sons and Heirs of Master Winchcomb *and Master* Wollescot, *whom I sent with their Friends to* Wadham College, Oxford, *and received a Certificate*, Anno 1638. *of their continuing in conformity to the Church of* England; *nor did ever any of these named, relapse again, but only the Countess of* Buckingham, *and Sir* William Spencer; *it being only in* GOD's *Power, not mine, to preserve them from Relapse.*

And now let any Clergyman of England *come forth and give a better account of his Zeal to the Church.*

Soon after the Commons having drawn an Ordinance of Attainder of High-Treason upon the Evidence given in against him, on the second of *November* following (after its second reading) the Archbishop was brought to the Bar of the House of Commons, where Mr. *Brown*, in his Presence, repeated to that House the Summ of the whole Evidence given in against him, before the Lords; the doing whereof took up about Three Hours time. To which the Archbishop was required to give his Answer *viva voce*; who moved that he might have time convenient given him for the same, in respect of the tedious length and weight of the Charge: which was granted till the 11th of the same Month. At which time he spake at large for some Hours, in his own Defence, at the Commons Bar. Whereto Mr. *Brown* then replied in his Presence: And thereupon, the same Day, that House passed the Ordinance for his Attainder of High-Treason, with but one dissenting Vote, which on the sixteenth following was transmitted to the House of Peers: And because some of the Lords were not present at the giving in all the Evidence against him, during his long Trial (which lasted seventeen Days) they order'd, *December* 4. that all Books, Writings, Dockets, and Evidences concerning the Tryal before the Lords in Parliament, should be brought in to the Clerk of the Parliament. After which the Lords proceeded to the Consideration of every Particular of the Charge (putting each to the Question as they passed) and, at a Conference, *December* 24. acquainted the Commons that they had found

found the Archbiſhop guilty of the Charge, as to Matters of Fact, but deſired ſome further Satisfaction in *point of Law*, whether the ſaid Matters were *Treaſon*. Whereupon, on the 26th of *December*, the Commons appointed a Committee to draw up Reaſons to ſatisfy the Lords therein; which were communicated at a Conference, *January* 2. by Sergeant *VVyld*, Mr. *Brown*, and Mr. *Nicholas*, to the Lords; who thereupon, on the 4th of *January*, paſſed the Ordinance of Attainder, whereby it was Ordain'd that he ſhould ſuffer Death as in Caſes of High Treaſon. And, on the 6th of *January*, it was ordered, by both Houſes, that he ſhould ſuffer accordingly on *Friday* the 10th. But, on the 7th, the Lords, at a Conference, acquainted the Commons with a Letter and Petition from the Archbiſhop, and a Pardon to him from the King, dated the 12th of *April*, 19 *Car.* of which he deſired the Benefit; but the ſame was overruled and rejected. His Petition was, That in caſe he muſt Die, Dr. *Stern*, Dr. *Heywood*, and Dr. *Martin*, might be permitted to be with him before, and at his Death, to adminiſter Comfort to his Soul; and that the manner of his Execution might be altered unto Beheading. To which the Lords agreed; but the Commons then refuſed both, and only granted that Dr. *Stern*, Mr. *Marſhal*, and Mr. *Palmer*, ſhould go to him, and one or both of the latter to be conſtantly preſent, while Dr. *Stern* was with him. But the next Day, upon another Petition of his, ſetting forth Reaſons, from his being a Divine, a Biſhop, one that had had the Honour to Sit in the Houſe of Peers, and of the King's moſt Honourable Privy Council, *&c.* praying, in thoſe Regards, not to be expoſed to ſuch an Ignominious Death, the Commons conſented to remit the reſt of the Sentence, and that he ſhould ſuffer Death by being Beheaded.

Sir John Hotham *and his Son, Tryed and Executed.*

ABout the middle of *June*, 1642. Sir *John Meldrum* ſeized Captain *John Hotham* in his Bed, and ſent him Priſoner to *Nottingham-Caſtle*, from whence he found means to eſcape, and went to *Lincoln*; and from thence ſoon after to his Father at *Hull*. *Vol.* II. *Pag.* 620.

On the 28th of *June*, a Letter was sent from Captain *Moyer*, a Sea-Captain, to one Mr. *Robert Ripley* in *Hull*; praying him to acquaint the Mayor, That there was a dangerous Plot on foot against that Town, from the Treachery of Sir *John Hotham*, the Governor, which would, that Night, or the next, be put in Execution, if not prevented. Of this, private notice was given about Ten a Clock at Night, to such as were most zealous for the Parliament; and, by Three or Four a Clock next Morning, about 1500 Townsmen were in Arms, who seized upon Captain *Hotham* and all that had any Relation to the Governour. Soon after Sir *John* himself was taken; he and his Son were sent to *London*, *July* 15, and committed to the *Tower*.

November 30. 1644. Sir *John Hotham* was brought before the Court-Martial in *Guild-Hall*, Sir *William Waller* being President. The Substance of the Charge against him was That he had Traiterously betrayed the Trust reposed in him by the Parliament, and adhered to the Enemy; which would be proved by his Words, his Letters, and his Action *viz.* his Correspondence with the Lord *Digby*, and the Marquis of *Newcastle*; his Refusal to supply the Lord *Fairfax* with Powder, Arms, and Ammunition, to the great Disservice of the Parliament, and the Prejudice of their Affairs in *Yorkshire*; his uttering divers slanderous Words against the Parliament and close Committee; his endeavouring to betray the Town of *Hull* to the Enemy; his holding a Correspondence with the Queen, by several Messengers; his causing a *Demi-Culverin* to be placed on the Top of the Castle against the Town, and two Pieces in the Block-House to give Fire on the Parliament-Ships; his sending away Captain *Moyer*, Captain of the great Ship called, *The Hercules*; his quitting of the Garison at *Beverley*, which was a great means to streighten *Hull*; and, lastly, his endeavours to escape as soon as he conceived his Design discovered: For proof of all which, about Thirty Witnesses were produced and examined.

His Son, Captain *John Hotham*, came to his Trial, before the same Court, *December* 9. where he was charged, that he had betrayed the Trust in him reposed, and perfidiously adhered to the Enemy, and endeavour'd to betray a Regiment of Horse into their Hands; that he held several private Treaties, under pretence of exchanging Prisoners, with the Earl of *Newcastle*; that he had omitted several Opportuni-

ties to Fight with the Enemy; and that he had given out many Scandalous and Invective Speeches againſt the Parliament.

The Son ſent Petitions to the Lords and Commons, for his Life, which availing nothing, he was, on *January* the 1ſt, brought to the Scaffold on *Tower-Hill*, where he ſpake as followeth:

Gentlemen,

YOU ſee in what a Condition I ſtand, you all come here to look upon me as a ſpectacle of Shame and Juſtice: And I believe many of you are poſſeſt with apprehenſion of great Crimes and Treaſons I have committed againſt the Parliament: Thoſe things, I muſt declare to you all, this Conſcience knows no guilt of. What I have advantaged the Parliament's Cauſe is notorious; and that I did never diſadvantage it, I think is proved alſo. I have been very violent in the Parliament, and did many things according to the Swinge of the Times. I did engage my ſelf in their Cauſe; I did them Service in poſſeſſing of Hull; *I preſerved the Forts, Magazine, Towns and Forces, and never miſcarried in any Attempt. It hath pleaſed GOD to bring me to this End, for my Sins againſt Him, which I acknowledge to be juſt; but not for any Treaſon againſt the Parliament: Neither do I know any Treaſon, or Intention of Treaſon in my poor Father, who lies in the ſame Condition that I do, whatever other Men do call Treaſon. This I teſtify to all here.*

The next Day, Sir *John Hotham* was conducted to the ſame place, attended by Mr. *Peters*, where he ſpake as followeth:

Gentlemen,

I Know no more of myſelf but this, That I deſerve this Death from Almighty GOD, nay, that I deſerve Damnation and the ſevereſt Puniſhments from Him. But as for the buſineſs of Hull, *the betraying of it from the Parliament, the Miniſters have all been with me, and given me good Counſel; neither was I any ways guilty of it; that is all I can ſay to that Act. For other Offences, raſh Words, Anger, and ſuch things, no Man hath been more guilty; I beſeech GOD to forgive me. I have received as many*

Favours as any Man, from GOD, and I have been as ungrateful as any Man could be: But GOD Almighty, I hope, has forgiven me my Sins, and I desire you all to pray to GOD for me, that I may be forgiven.

*I hope GOD Almighty will forgive me, the Parliament, and the Court-Martial, and all Men that have had any thing to do with my Death. And, Gentlemen, I thank this worthy Gentleman * for putting me in mind of it; and I pray GOD bring more things into my Memory. And, Gentlemen, look to it all, as I: I have received many Mercies from GOD, and have been unfruitful, ungrateful to Him under them; and GOD Almighty hath let me see, that though for this Offence whereof I am accused, He hath not done it; yet He hath brought this Affliction upon me to save my Soul, by and thro' the Merits of JESUS CHRIST: For, alas, this Affliction is nothing to all my Sins: GOD Almighty kept me from my Trial at St.* Alban's *and other Places, to bring me to this Place, that I hope I shall glorify GOD in, and His Blessed Name be for ever glorified.*

* H. Peters.

The Substance of what passed between King Charles I. *and Mr.* Henderson, *concerning Church-Government.*

Clarendon *Vol.* III. *Pag.* 31.

King. I Was always very confident that the *Reformation*, (being wrought legally and orderly, by those who had the Power to *reform*) was very perfect as to Essentials; of which Number *Church-Government* being undoubtedly one, I make no question but that would have been likewise alter'd, if there had been Cause. Which Opinion of mine was soon turn'd into more than a Confidence, when I perceiv'd that in this Particular (as I must say of all the rest) we retain'd nothing, but according as it was deduced from the Apostles to be the constant, universal Custom of the Primitive Church; and that it was of such Consequence, as by the alteration of it we should deprive ourselves of a lawful Priesthood; and then, how the Sacraments can be duly administre

miniſtred, is eaſy to judge. Theſe are the principal Reaſons which make me believe that Biſhops are neceſſary for a Church; and, I think, ſufficient for me (if I had no more) not to give my Conſent for their Expulſion out of *England*. But I have another Obligation, that, to my particular, is a no leſs tie of Conſcience, which is my *Coronation Oath*. Now if (as St. *Paul* ſays) *he that doubteth is damned if he eat*, what can I expect, if I ſhould not only give way knowingly to my People's ſinning, but likewiſe be perjur'd myſelf?

Henderſon. Your Majeſty reverences the Reformation, as being done legally and orderly, and by thoſe that had the Power. I wiſh it were not committed to the Prelates, who have greateſt need to be reform'd themſelves; nor left to the Multitude, whom GOD ſtirs up when Princes are negligent. The Glory of this great Work, we hope, is reſerved for your Majeſty; which yet will be no diſpraiſe to your Royal Father, or *Edward* VI. or any other Religious Princes before you; none of them having ſo fair an Opportunity as is now by the Supreme Providence put into your Royal Hands. My Soul trembleth to think, and to foreſee what may be the event, if this opportunity be neglected.

To the Argument brought by Your Majeſty for Biſhops, I humbly offer theſe Conſiderations: 1. What was not in the Times of the Apoſtles, cannot be deduced from them. But there was no ſuch Hierarchy, no ſuch difference between a Biſhop and a Preſbyter in the Times of the Apoſtles; and therefore it cannot thence be deduced. For I conceive it to be as clear as if it were written with a Sunbeam, that Preſbyter and Biſhop are to the Apoſtles one and the ſame thing. 2. The Apoſtles very exactly ſetting down all the Offices and Officers of the Church, do no where expreſs or imply any ſuch Paſtor or Biſhop as hath Power over other Paſtors. 3. In all Orders of Miniſters mentioned in the New-Teſtament, as Apoſtles, Evangeliſts, Doctors, *&c.* there is a parity in their own kind: Why then a Paſtor above other Paſtors? 4. All the Parts of the Miniſtry, the Power of Order and Juriſdiction, are by the Apoſtles declared to be common to the Preſbyter and Biſhop. And that, *Matt.* xv. 16, 17. the Gradation in Matters of Diſcipline or Church-Cenſures, is from one to two or more; and, *if he ſhall neglect them, tell it to the Church*: He ſaith not, Tell it to the Biſhop: there is no place left to a Retrogradation from more to one,

were he never so eminent. 5. I beseech Your Majesty to take notice of the fallacy of that Argument, from the Practice of the Primitive Church, and the universal Consent of the Fathers. We can have no certain knowledge of the practice universal of the Church for many Years. *Eusebius*, the prime Historian confesseth as much; and so doth the Learned *Joseph Scaliger*. 6. I will never think that Your Majesty will deny the lawfulness of a Ministry, and the due Administration of the Sacraments in the Reformed Churches which have no Diocesan Bishops, since it is not only manifest by Scripture, but a great many of the strongest Champions for Episcopacy, do confess, that Presbyters may ordain other Presbyters; and that Baptism administer'd by a private Person wanting a publick Calling, or by a Midwife, and by a Presbyter, altho' not ordain'd by a Bishop, are not one and the same thing. 7. Concerning Your Majesty's *Coronation-Oath*, I confess that both in the taking and keeping of an Oath much tenderness is required. No human Authority can dispence with an Oath; yet in some cases the Obligation of an Oath ceaseth: As when we swear Homage and Obedience to our Lord and Superior, who afterwards ceaseth to be such; then the formal Cause of the Oath is taken away, and consequently the Obligation. Or when any Oath hath a special reference to the Benefit of those to whom I make the Promise, if we have their Desire or Consent, the Obligation ceaseth; because all such Oaths, from the nature of the thing, do include a Condition. When the Parliaments of both Kingdoms have covenanted for the abolishing or altering a Law, Your Majesty's Oath doth not bind you to the observing of it. 8. Your Majesty's Royal Father never admitted *Episcopacy* upon Divine Right; he conceived the Prelates to savour of the Popish Hierarchy; and could his Ghost now speak, he would not advise Your Majesty to run such Hazards for those Men who will chuse rather to pull down your Throne with their own ruin, than that they perish alone.

King. You speak much of the Identity of Bishop and Presbyter in the New-Testament: If you had made appear the Practice of the *Presbyterian Government* in the *Primitive Times*, you had done much: I affirm, that this Government was never practis'd before *Calvin*'s Time. And if the practice of the *Primitive Church*, and the *universal Consent of the Fathers* be not a convincing Argument (though you

you call it a Fallacy) when the Interpretation of Scripture is doubtful, I know nothing. When I am made a Judge over the *Reformed Churches*, then, and not before, will I censure their Actions; as you must prove before I confess it, that *Presbyters without a Bishop may lawfully ordain other Presbyters.*

As to the Obligation of my Coronation Oath, you much mistake, in alledging that the *Two Houses of Parliament* (especially as they are now constituted) can release me; for besides that they are not named in it, I am confident to make it clearly appear to you, that this Church never did submit, nor was subordinate to them; and that it was only the *King* and *Clergy* who made the *Reformation*, *the Parliament* meerly serving to help to give the *Civil Sanction.* All this being proved, it must necessarily follow, that it is only the *Church of England*, in whose favour I took this Oath, that can release me from it. Concerning the *King my Father*, I must tell you, I had the Happiness to know him much better than you; wherefore I desire you not to be too confident in the knowledge of his Opinions. For I dare say, should his Ghost now speak, he would tell you, that a *Bloody Reformation was never lawful, as not warranted by GOD's Word*; and that *Preces & lacrymæ sunt arma Ecclesiæ.*

Hend. Concerning Reformation, it is not denied but the Prince reforming Power is in Kings and Princes; if they fail, it comes to the Inferior Magistrate; if these fail it descends to the Body of the People.

King. I utterly deny, that the *Inferior Magistrate or People* have Power to Reform; I think all *Popular Reformation* little better than *Rebellion.* For I hold no Authority lawful, but that which is either directly given, or, at least, approved by GOD; which when you prove the People's to be, I submit; otherwise you do nothing.

Hend. Learned Men have observed many Defects in the *English* Reformation; as that the Government of the Church of *England* is not built upon the Foundation of CHRIST and his Apostles; that the *Roman Leaven* is not perfectly purged out; that it hath depraved the Discipline of the Church, by conforming it to the Civil Policy; that it hath added many Offices unto those instituted by the Son of GOD.

King. Your first Assertion well proved, would be sufficient; but in that, I conceive, you will be very defective. As for the retaining of *Roman Leaven*, you must prove it as

well as say it. But that the conforming the *Church-Discipline* to the *Civil Policy* should be a depraving of it, I absolutely deny; for I averr, that without it the Church can neither Flourish nor be Happy. And, for your last Instance, you will do well to shew the Prohibition of our Saviour against addition of more Officers in the Church than he named: And yet in one sense, I do not conceive that the Church of *England* hath added any; for an *Archbishop* is only a Distinction for *Order of Government*.

Hend. I have offer'd Reasons to prove, that a Bishop and Presbyter are one and the same in Scripture. The Assembly of Divines at *Westminster* have made it manifest, that the Primitive Christian Church at *Jerusalem* was governed by a Presbytery.

King. Where you find a *Bishop* and *Presbyter* in Scripture to be one and the same (which I deny to be always so) it is in the Apostles Time: Now I think to prove the Order of Bishops succeeded that of the Apostles; and that the Name was chiefly alter'd in reverence to those who were immediately chosen by our Saviour; so that I believe this Argument makes little for you. As for your proof of the Antiquity of *Presbyterian Government*, it is well that the *Assembly of Divines*, at *Westminster*, can do more than *Eusebius* could; and I shall believe when I see it: For your former Assertion was, That those Times were very dark for matter of Fact; and will be so still for me, if you have no clearer Arguments to prove it. Indeed if I cannot prove by Antiquity, that Ordination and Jurisdiction belong to Bishops, (thereby clearly distinguishing them from other Presbyters) I shall then begin to misdoubt many of my former Foundations.

Hend. Altho' your Majesty be not made a Judge of the Reformed Churches, yet you so far censure them and their Actions, as without Bishops, in your Judgment, they cannot have a lawful Ministry, nor a due Administration of the Sacraments. Against which dangerous and destructive Opinion, I did alledge what I supposed your Majesty would not have denied. 1. That Presbyters without a Bishop may ordain other Presbyters. 2. That Baptism administred by such a Presbyter is another thing than Baptism administred by a Private Person, or by a Midwife. A private Person may perform the external Action and Rites both of Baptism and the Eucharist; yet is neither of the two a Sacrament, or hath any Efficacy, unless it be done by him that is lawfully called

led thereunto, or by a Person made publick, and cloathed with Authority by Ordination. This Error in the matter of Baptism is begot by another Error, of the absolute Necessity of *Baptism*.

King. As I am no Judge over the *Reformed Churches*, so neither do I censure them; for many things may be avowable upon *Necessity*, which otherwise are *unlawful*. But know once for all, that I esteem nothing the better, because it is done by such a *particular Church* (tho' it were by the Church of *England*, which I avow most to reverence) but I esteem that Church most which comes nearest to the *Purity of the Primitive Doctrine and Discipline*, as I believe this doth. Tho' I do not think any Authority equal to the *Scriptures*, yet I do think, *the unanimous consent of the Fathers, and the universal Practice of the Primitive Church, to be the best and most authentical Interpreters of GOD's Word*, and consequently the fittest Judges between me and you, when we differ, until you shall find me a better.

The Declaration of Mr. Alexander Henderson, *Principal Minister of the Word of GOD at* Edenbrough, *and Chief Commissioner from the Kirk of* Scotland, *to the Parliament and Synod of* England: *Made upon his Deathbed.*

WHereas the greatest part of the distemper'd People of these miserable distracted Kingdoms, have been and are, wofully abused and misled with malicious Misinformations against His Sacred Majesty, especially in point of Religion and Moral-Wisdom; whereof, I confess with great Grief of Heart, myself to have been (amongst many more of my Coat) none of the least; who out of Imaginary Fears and Jealousies, were made real Instruments to advance this unnatural War, wherein so much Innocent Protestant Blood hath been shed, and so much downright Robbery committed, without Fear, or Shame of Sin; to the scandal of the true Reformed Religion, as cannot but draw down heavy Judgments from Heaven upon these infatuated Nations, and more particularly upon us who should have instructed them in the way of Truth, Peace, and Obedience.

I con-

I conceived it the Duty of a good Christian, especially one of my Profession, and in the Condition that I lie, expecting GOD Almighty's Call, not only to acknowledge to the Almerciful GOD, with a humble sincere remorse of Conscience, the greatness of this Offence; which being done in Simplicity of Spirit, I hope, with the Apostle *Paul*, to obtain Mercy, because I did it through Ignorance: But also, for the better satisfaction of all others, to publish this *Declaration* to the view of the World; to the intent, that all those, (especially of the Ministry) who have been deluded with me, may, by God's Grace, and my Example (tho' a weak and mean Instrument) not only be undeceived themselves, but also stirred up to undeceive others with more alacrity and facility; that the Scandal may be removed from our Religion and Profession, and the good King restored to his just Rights, and truly honoured and obeyed as GOD's Anointed and Vicegerent upon Earth; and the poor distressed Subjects freed from those intolerable Burdens and Oppressions which they lie groaning under, piercing Heaven with their Tears and Cries; and a solid Peace settled both in Kirk and Commonwealth, throughout all His Majesty's Dominions, to the glory of GOD, and of our blessed Mediator and Saviour the Lord CHRIST.

I do therefore *Declare* before GOD and the World, that since I had the Honour and Happiness to converse and conferr with His Majesty, with all sort of freedom; especially in Matters of Religion, whether in relation to the Kirk or State, (which like *Hypocrates*'s Twins are linked together) that I found him the most Intelligent Man that ever I spoke with; as far beyond my Expression, as Expectation, grounded upon the Information that was given me, (before I knew him) by such as I thought should have known him. I profess that I was oft-times astonish'd with the solidity and quickness of his Reasons and Replies; wondred how he, spending his time so much in Sports and Recreations, could have attained to so great Knowledge, and must confess ingenuously, that I was convinced in Conscience, and knew not how to give him any reasonable Satisfaction; yet the sweetness of his Disposition is such, that whatsoever I said was well taken: I must say, that I never met with any Disputant (let be a King, and in Matters of so high Concernment) of that mild and calm Temper, which convinced me the more, and made me think that such Wisdom and Moderation could not be without an

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extraordinary measure of Divine Grace. I had heard much of his Carriage towards the Priests in *Spain*, and that King *James* told the Duke of *Buckingham*, upon his going thither, *That he durst venture his Son* Charles *with all the Jesuits in the World*, he knew him to be so well grounded in the Protestant Religion, but could never believe it before.

I observed all his Actions, more particularly those of Devotion, which, I must truly say, are more than ordinary: I informed myself of others, who had served him from his Infancy, and they all assured me, that there was nothing new, or much enlarged, in regard of his Troubles, either in his private or publick way of Exercise; twice a Day constantly, Morning and Evening, for an Hour's space, in private; twice a Day, before Dinner and Supper, in publick; besides Preachings upon *Sundays*, *Tuesdays*, and other extraordinary Times; and no Business, tho' never so weighty and urgent, can make him forget or neglect this his Tribute and Duty to Almighty GOD. O that those who sit now at the Helm of these Weather-beaten Kingdoms, had but one half of his true Piety and Wisdom! I dare say that the poor oppressed Subject should not be plunged into so deep Gulfs of Impiety and Misery, without Compassion or Pity: I dare say, if his Advice had been followed, all the Blood that is shed, and all the Rapine that is committed, should have been prevented.

If I should speak of his Justice, Magnanimity, Charity, Sobriety, Chastity, Patience, Humility, and of all his both Christian and Moral Vertues, I should run myself into a Panegyrick, and seem to flatter him to such as do not know him, if the present Condition that I lie in did not exempt me from any such suspicion of worldly Ends, when I expect every Hour to be called from all transitory Vanities to eternal Felicity; and the discharging of my Conscience before GOD and Men, did not oblige me to declare the Truth simply and nakedly, in satisfaction of that which I have done Ignorantly, though not altogether Innocently.

If I should relate what I have received from good hands, and partly can witness of my own knowledge, since these unhappy Troubles began, I should enlarge myself into a History: Let these brief Characters suffice. No Man can say that there is conspicuously any predominant Vice in him, a rare thing in a Man, but far rarer in a King: Never Man saw him passionately Angry, or extraordinarily moved, either

with

with Prosperity or Adversity, having had as great Trials as ever any King had: Never Man heard him Curse or given to Swearing: Never Man heard him Complain, or bemoan his Condition, in the greatest durance of War and Confinement; when he was separated from his deareſt Consort, and deprived of the Comfort of his Innocent Children, the hopefulleſt Princes that ever were in theſe ingrate Kingdoms; when he was denuded of his Counſellors and Domeſtick Servants: No Man can complain of the Violation of his Wife or Daughters, tho' he hath had too many Temptations in the prime of his Age, by the inforced Abſence of his Wife, which would be hardly taken by the meaneſt of his Subjects: and (which is beyond all admiration) being ſtrip'd of all Counſel and help of Man, and uſed ſo harſhly as would have ſtupified any other Man, then did his undaunted Courage, and tranſcendent Wiſdom ſhew itſelf more clearly, and vindicate him from the obloquy of former Times, to the aſtoniſhment of his greateſt Enemies: I confeſs this did ſo take me that I could not but ſee the Hand of GOD in it, and which will render his Name Glorious, and (I greatly fear) ours Ignominious to all Poſterity; he ſtands faſt to his Grounds, and doth not riſe and fall with Succeſs, the brittle Square of humane Actions, and is ever ready to forgive all by paſt Injuries to ſettle a preſent ſolid Peace, and future Tranquility, for the good of his Subjects; nay, for their Cauſe he is content to forego ſo many of his own known, *undoubted juſt Rights*, as *may ſtand with their ſafety*, as *Salus populi eſt Suprema Lex*, ſo, *& ſi parendum eſt patri in eo tamen non parendum quo efficitur ut non ſit Pater.* [Seneca.]

I confeſs that I could have wiſhed an Eſtabliſhment of our Preſbyterial Government in the Kirk of *England*, for the better *Union* between them and us, but I find the Conſtitution of that Kingdom, and Diſpoſition of that Nation ſo generally oppoſite, that it is not to be expected: They are a People naturally inclined to Freedom, and ſo bred in Riches and Plenty, that they can hardly be induced to embrace any Diſcipline that may any ways abridge their Liberty and Pleaſures. That which we eſteem a Godly Kirk Policy, inſtituted by the *Lord CHRIST*, and his Apoſtles, is no better to them than a kind of Slavery; and ſome do not ſtick to call it worſe than the *Spaniſh* Inquiſition: Nay, even the greateſt part of thoſe who invited us to aſſiſt them in it, and ſent hither their Commiſſioners to induce us to enter into a

ſolemn

ſolemn National Covenant for that effect, having ſerved their turn of us, to throw down the King and the Prelatical Party, and to poſſeſs themſelves with the Supreme Government both of Kirk and State; are now inventing Evaſions to be rid of us, and to delude it, ſome of them publiſhing openly, in Pulpits and Print, That the ſacred Covenant was never intended for the Godly, but only as a Trap to enſnare the Malignants; which cannot but bring heavy Judgments from Heaven, and, I am afraid, make a greater diſunion between theſe Nations, than ever was before: Like unto that *bellum Gallicum, quod ſexcentis fœderibus compoſitum, ſemper renovabatur* [*Canon. lib.* 3. *Chron. in here.* 5. *An. Dom.* 1118.] with a deluge of Chriſtian Blood, and almoſt ruine of both Parties; or like unto that *Bellum Ruſticanum in Germania, in quo ſupra centena millia Ruſticorum occubuerunt.* [*idem An. Dom.* 1524.] Or moſt of all, both in Manner and Subject, reſembling that of *John* of *Leyden*, *Munſer* and *Knoperduling*, [*idem An.* 1534.] which took its riſe from the former; ſo many different Sects ſpring up daily more and more amongſt them, which all, like *Ephraim* and *Manaſſes*, *Herod* and *Pilate*, conſpire againſt the Lord's Anointed, and the true Proteſtant Religion.

The City of *London*, that was ſo forward in the beginning of this glorious Reformation, ſurpaſſes now *Amſterdam* in number of Sects, and may be compared to Old *Rome*, *Quæ cum omnibus penè gentibus dommaretur omnium gentium erroribus ſerviebat, & magnam ſibi videbatur aſſumpſiſſe Religionem quia nullam reſpuebat falſitatem.* [*Leo in Serm. de Petro & Paulo. app.*] their Tranſgreſſions are like to bring them to that Confuſion of the *Iſraelites* when they had no King [*Judg.* 21.] *every one did what ſeemed good in his own eyes, becauſe they feared not the Lord*; [Joſh. 10.] they ſaid, *What ſhould a King do to us?* The *Young-men* preſumed to be *wiſer than the Elder*, [Iſai. 3.] the *viler ſort* deſpiſed the *honourable*, [Lament. ult.] and the very *Serving-men ruled over them.*

I profeſs, when I ſaw theſe things ſo clearly, I could not blame the King to be ſo backward in giving his aſſent to the ſettling of our Preſbyterial Diſcipline in that Kirk, for the great Inconveniencies that might follow thereupon, to Him and his Poſterity, there being ſo many ſtrong Corporations in that Kingdom to lead on a popular Government, ſuch a number of People that have either no, or broken Eſtates, who

who are ready to drive on any Alteration, and so weak and powerless a Nobility to hinder it: *Multos dulcedo prædarum, plures Res angustæ vel ambiguæ domi alios scelerum Conscientia stimulabat.* [C. Tacit.]

Let me therefore exhort and conjure you, in the words of a dying Man, and Bowels of our *Lord CHRIST*, to stand fast to your Covenant, and not to suffer yourselves to be abused with fain'd Pretences, and made wicked Instruments to wrong the Kirk and the King, of their just Rights and Patrimony.

Remember the last Prophetical Words of our first blessed Reformer, that after the subduing of the Papists, foretold us the great Battle remain'd against manifold Temptations of the Devil, the World, and the Flesh, and especially against the Sacrilegious Devourers of the Kirk-Rents, which will not be wanting now with Baits cunningly laid upon golden Hooks, to ensnare the greatest amongst you, both in Kirk and State: But I beseech you, in the words of our blessed Saviour, to be *wise as Serpents, and mild as Doves*; let no worldly Consideration induce you to slide back from the true meaning of our Holy Covenant with the All-seeing GOD; who punished *Saul* in his Sons, for the breach even of an unlawful Covenant with the *Gibeonites*, [2 *Sam.* 21.]

Remember the Supplication of the General Assembly at *Edenburgh*, given in to the Earl of *Trawhaire*, [*Sess.* 23. *Act.* 2.] His Majesty's High Commissioner, 12 *Aug.* 1639. recorded both in the publick Register of our Kirk and Parliament, whereby to obviate malign Aspersions [2 *Caroli*, *Act.* 5. *Sess.* 7. *Junij* 1640.] that branded us maliciously with an Intention to shake off Civil and Dutiful Obedience due to Sovereignty, [*verbatim ex Registro*] and to diminish the King's Greatness and Authority, and for clearing of our Loyalty; We, in our Names, and in the Name of all the rest of the Subjects and Congregations whom we represent, did in all humility represent to His Grace, and the Lords of His Majesty's most honourable Privy-Council, and declared before GOD and the World, that we never had, nor have any thought of withdrawing ourselves from that humble and dutiful Obedience to His Majesty and His Government, which, by the descent, and under the Reign of 107 Kings, is most cheerfully acknowledged by us and our Predecessors; and we never had, nor have any Intention or Desire to attempt any thing that may tend to the Dishonour of GOD,

or

or Diminution of the King's Greatneſs and Authority, but, on the contrary, acknowledging with all humble Thankfulneſs, the many recent Favours beſtowed upon us by His Majeſty, and that our Quietneſs, Stability, and Happineſs, depends upon the ſafety of the King's Majeſty's Perſon, and maintenance of his Greatneſs and Royal Authority, who is GOD's Vicegerent, ſet over us for the maintenance of Religion and adminiſtration of Juſtice, we did ſolemnly ſwear, not only our mutual Concurrence and Aſſiſtance for the Cauſe of Religion, and to the uttermoſt of our Power, with our Means and Lives, to ſtand to the defence of our Dread Sovereign, his Perſon and Authority, in the Preſervation and Defence of the true Religion, Laws, and Liberties of this Kirk and Kingdom; but alſo in every Cauſe, which may concern His Majeſty's Honour, to concur with our Friends and Followers in quiet Manner or in Arms, as we ſhould be required of His Majeſty, his Council, or any, having his Authority, according to the Laws of this Kingdom, and the Duty of good Subjects.

And, tho' ſome malignant Spirits wreſt maliciouſly ſome words of our Covenant, *Act.* 3. contrary to the true meaning thereof, as if we intended thereby to reſtrain our Allegiance contrary to the Apoſtle's Precept and Nature of our Duty, and make Religion a back-door for Rebellion to enter in at; if there be any of the ſimpler zealous ſort, that conceive the ſenſe to be ſuch, or if there be any others that would make uſe of it for their politick Ends, we diſclaim them: And, I declare before GOD and the World, that it was far from the intention of thoſe that contrived it, to wrong the King and his Poſterity, as the plain words of that Article, in the cloſe do clearly bear; and the foreſaid Supplication doth manifeſtly declare, their intent being only to have ſettled a Conformity in Kirk-Government throughout all His Majeſty's Dominions, which they conceived would have ſtrengthened His Majeſty's Authority, and made Him and his Poſterity more glorious: But ſince we find many invincible Difficulties and intolerable Inconveniencies ariſe, chiefly from thoſe who invited us to enter therein, for their Aſſiſtance in the accompliſhment thereof in that Kirk, and ſo clearly that they intend to delude us with vain Gloſſes and Diſtinctions, to the deſtruction of true Proteſtant Religion, and Monarchical Government, and perceive, to our great Grief, that we have been abuſed with moſt falſe Aſperſions againſt His Majeſty,

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the most Religious, Prudent, and best of Kings. I do further declare, before GOD and the World, that they are guilty of the breach of the Sacred Covenant, and that we have discharged our Duty thereof (which is only promissory and conditional, as all Oaths *de futuro* are) by endeavouring to effectuate it, *quantum in nobis erat*; and that we are absolved, *in foro Poli & Soli*, of any Oath or Vow contained therein, so far as concerns the settling of Religion in the Kirk of *England* and *Ireland*, and that we are only bound thereby to preserve the Reformation of Religion in our own Kirk and Kingdom, confirmed by his Sacred Majesty in Parliament, and to restore our Native King to his just Rights, Royal Throne and Dignity, in as full and ample a manner as ever any of his Royal Predecessors enjoyed them, and that the Mouth of all Malignants may be stopped, that it may not be said Presbytery letters Monarchy, as Independency destroys it, who cast up to us the Holy League and Covenant of *France*, as a Pattern on the mont of ours.

Therefore I exhort and conjure you, again and again, in the Bowels of our *Lord CHRIST*, and Words of a dying Man, especially my Brethren of the Ministry, as you expect a Blessing from GOD upon this distressed, distracted Kirk and Kingdom, upon you and your Posterity; as you desire to remove GOD's heavy Judgments from this miserable Land, the Sword and Pestilence, and what else may follow, which I tremble to think of; to stand fast and firm to this Point of your Covenant, which you were bound to before, by the Law of GOD and of this Land, and never suffer yourselves, by all the gilded Allurements of this World, which will prove bitter and deceitful at last, to relinquish it: Stand fast to your Native King, most gracious to this Land, far beyond all his Predecessors; none owes greater Obligation to him than the Ministry and Gentry, let not an indelible Character of Ingratitude lie upon us that may turn to our ruine. The Protestants of *France*, when they were happy in the free profession of their Religion suffered themselves to be abused and misled by some Great Ones, into a Rebellion against *Lewis* XIII. their Natural King, which cost many of them their Lives and Estates, and the loss of all their Hostage Towns, and might have endanger'd their Liberty of Conscience, if the King had not been very gracious to them; the Templers Pride and Ambition rendred them formidable to all Christian Kings, and made them to be cut off in the twinkling of an Eye. The

Jesuits

Jesuits are running headlong to that same height; and our Bishops, not contenting themselves with Moderation, were made Instruments of their own Destruction; as some of our Brethren before, by their Indiscretion, inforced King *James* to set them up; wherefore I beseech you, my Brethren of the Ministry, to carry yourselves mildly toward all Men, *Tit.* 3. and obediently towards the King and his subordinate Officers, *Rom.* 13. Preach Salvation to your Flocks, 1 *Pet.* 2. and meddle not with them that are seditious; keep yourselves within the Bounds of our Blessed Saviour's, *Prov.* 24. Commission, and do not, as the Bishops did, intrench upon the Civil Magistrates Authority, that ye may live in Peace and Godliness together, as becometh the Messengers of the *Lord CHRIST. Non eripit terrestria qui Regna dat cœlestia.*

GOD of his Mercy grant you all, the Spirit of Love and Union, that you may join as one Man to redeem the Honour of this ancient Nation, which lies a bleeding in Foreign Parts, where it was once so famous for its Valour and Fidelity, even to Foreign Kings; to redeem it, I say, even with your Lives and Fortunes, according to your Solemn Covenant, and the Duty of your Allegiance to your Native King; Consider, I beseech you, your own Interests, besides Honour and Conscience, and never rest till you have restored him fully to his Royal Throne and Dignity; let us, his Native Subjects, be his best Shield and Buckler, under GOD, to defend him from all Enemies, and to transmit his Scepter to his Posterity, so long as the Sun and Moon endureth, and let our Forces be employed for the Restitution of the most Religious and Vertuous Queen of *Bohemia* and her distressed Children, to their just Inheritance, and for the pulling down of the Antichrist, and enlarging of our *Lord CHRIST*s Kingdom throughout all the World.

C. Tacitus.

In tanta Republicæ necessitudine, suspecto Senatus, populique Imperio ob certamina potentium & avaritiam Magistratuum invalido legum auxilio, quæ vi, ambitu, postremo pecunia turbabantur; omnem potestatem ad unum reddire Pacis interfuit, non aliud discordantis Patriæ remedium quam ut ab uno regeretur.

Belleivre's *Negotiations with the Parliament.*

Vol. III. *Pag.* 31. MOnsieur *Belleivre*, Ambassador extraordinary from the Crown of *France*, being lately arrived, had this Day Audience in both Houses, being received in great State: The Substance of what he delivered was, That he had in command from the Queen Regent and the King of *France*, to interpose and endeavour a good Reconciliation and Composure of the Differences between His Majesty of *Great-Britain* and the Parliament of *England*: But understanding in what forwardness they were, and that Propositions were already dispatch'd to His Majesty, he had no more to do at present, with the Parliament, but to take his leave of them, and to desire their Pass to go unto the King, and to the States of *Scotland*.

Which business being taken into Consideration by the House of Commons, *July* 22. a Letter was agreed upon in answer to the said Ambassador, to this Effect: That they took in very good part, and received with all thankfulness, the good affections and intentions of the *French* Crown to these Kingdoms, and his willingness to see these Troubles over; for ending whereof they have done their utmost, and shall still continue so to do. But they could not agree, that any Foreign State interpose in the present remaining Differences; nor that His Majesty of *France* in particular, by his present Extraordinary Embassador, should so do. But for the Pass desired, they did agree to it, That the said Ambassador pass freely without any interruption or disturbance, and be used with all respect and civility, according to his Quality.

Whereunto the Lords concurred, and the Pass was Signed by the Speakers of both Houses. And, understanding that the said Ambassador had taken his Journey from *London* the Night before, towards the King, without the Answer or Pass from the Houses, the same was sent Post after him by Sir *Peter Killigrew*.

Th

The King's Letters about his Chaplains.

For the Speaker of the Houſe of Peers, *pro tempore*, to be communicated to the two Houſes of Parliament at *Weſtminſter.*

SInce I have never diſſembled nor hid my Conſcience, and that I am not yet ſatisfied with Pag. 39.
the Alteration of Religion, to which you deſire my Conſent, I will not yet loſe time in giving Reaſons, which are too obvious to every body, why it is fit for me to be attended by ſome of my Chaplains, whoſe Opinions, as Clergymen, I eſteem and reverence; not only for the Exerciſe of my Conſcience, but alſo for clearing of my Judgment concerning the preſent differences in Religion; as I have at full declared to Mr. Marſhal *and his Fellow-Miniſter, having ſhew'd them that it is the beſt and likelieſt means of giving me Satisfaction, which, without it, I cannot have in theſe Times, whereby the Diſtractions of this Church may be the better ſettled. Wherefore I deſire that, at leaſt, two of theſe* Reverend Divines, *whoſe Names I have here ſet down, may have free Liberty to wait upon me, for their diſcharging of their Duty unto me according to their Function.*

Holdenby, 17 Feb. 1646.

CHARLES R.

B. *London.*
B. *Saliſbury.*
B. *Peterborough.*
D. *Shelden,* Clerk of my Cloſet.
D. *Marſh,* Dean of *York.*
D. *Sanderſon.*
D. *Baily.*
D. *Heywood.*
D. *Beal.*
D. *Fuller.*
D. *Hammond.*
D. *Taylor.*

To the Speaker of the Houſe of Peers, *pro tempore*, to be communicated to the Two Houſes of Parliament at *Weſtminſter*.

IT being now Seventeen Days ſince I wrote to you from hence, and not yet receiving any Anſwer to what I then deſired, I cannot but now again renew the ſame unto you. And indeed, concerning any thing but the neceſſary Duty of a Chriſtian, I would not thus, at this time, trouble you with any of my deſires. But my being attended with ſome of my Chaplains, whom I eſteem and reverence, is ſo neceſſary for me, even, conſidering my preſent Condition, whether it be in relation to my Conſcience, or a happy ſettlement of the preſent Diſtractions in Religion, that I will ſlight divers kinds of Cenſures, rather than not to obtain what I demand: Nor ſhall I do you the wrong, as in this to doubt the obtaining of my Wiſh, it being totally grounded upon Reaſon. For, deſiring you to conſider (not thinking it needful to mention) the divers Reaſons which no Chriſtian can be ignorant of, for point of Conſcience, I muſt aſſure you, that I cannot, as I ought, take in conſideration thoſe alterations in Religion which have and will be offer'd unto me, without ſuch help as I deſire; becauſe I can never judge rightly of, or be alter'd in any thing of my Opinion, ſo long as any ordinary way of finding out the Truth is denied me. But when this is granted me, I promiſe you faithfully not to ſtrive for Victory in Argument, but to ſeek and ſubmit to Truth according to that Judgment which GOD hath given me; always holding it my beſt and greateſt Conqueſt to give Contentment to my Two Houſes of Parliament in all things, which I conceive not to be againſt my Conſcience or Honour; not doubting likewiſe, but that you will be ready to ſatisfy me in reaſonable things, as I hope to find in this particular, concerning the attendance of my Chaplains upon me.

Holdenby, 6 March, 1646.

CHARLES R

Th

The Army's Impeachment of Eleven Members.

Pag. 58. *June* 16. 1547. This Day came to the Houſes of Parliament, from His Excellency, and the Officers and Soldiers of the Army, a Charge againſt Eleven Members of the Commons Houſe, *viz. Denzil Hollis*, Eſq; Sir *Philip Stapleton*, Sir *William Lewis*, Sir *John Clotworthy*, Sir *William Waller*, Sir *John Maynard*, Major-General *Maſſy*, Mr. *Glynn* Recorder of *London*, Colonel *Walter Long*, Colonel *Edward Harley*, and *Antony Nichols*, Eſq; who were charged as follows.

I. That, contrary to the Truſt repoſed in them, they have jointly, or ſeverally, invaded, infringed, or endeavoured to overthrow the Rights and Liberties of the Subject of this Nation, in arbitrary, violent, or oppreſſive Ways, and have likewiſe endeavour'd, by indirect and corrupt Practices, to delay and obſtruct Juſtice, to the great damage and prejudice of divers of the poor Commons of *England* Petitioning for the ſame.

II. That this Army being, until the middle of *March* laſt, in a quiet and orderly Condition and Poſture, free from any colour or appearance of Diſtemper or Diſorder, or from Offence to any, and ready (upon reaſonable Satisfaction in their neceſſary Dues for Service paſt) either quietly to have diſbanded, or elſe to have engaged in the Service of *Ireland*, the Perſons abovenamed have, jointly or ſeverally, endeavour'd, by falſe Informations, Miſrepreſentations, or Scandalous Suggeſtions againſt the Army, to beget Miſunderſtandings, Prejudices, or Jealouſies in the Parliament, againſt the Army; and, by deluding, ſurpriſing, or otherwiſe abuſing the Parliament, to engage the Authority of Parliament to ſuch Proceedings, as to put inſufferable Injuries, Abuſes, and Provocations upon the Army, whereby to provoke and put the Army into a Diſtemper, and to diſoblige and diſcourage the ſame from any farther engagement in the Parliament's Service. By all which, and other the like particulars and proceedings of theirs, the Peace of the Kingdom hath been eminently endangered, and the Relief of *Ireland* retarded.

III. That whereas the Parliament might otherwiſe have had, out of this Army, an entire Force, and, anſwerable to

their Proportion designed, to have engaged for *Ireland*, as aforesaid, under their old Officers and Conduct; the Persons abovenamed, for advancement of their own Ends, Faction, and Design, to the prejudice of the Publick, have jointly or severally, under pretence of the Service of *Ireland*, endeavour'd by such evil Practices as before, to break and pull this Army in pieces, to the weakening of the Power, and endangering the safety of Parliament and Kingdom; and have likewise endeavoured to put the Parliament and Kingdom, to the trouble, hazard, delay, and vast expence of raising a new Force as for that Service.

IV. That with the breaking of this Army, as aforesaid, they have, in the like manner, endeavoured under the pretence of the Service of *Ireland*, to raise a new Force, as before, to advance and carry on desperate Designs of their own in *England*, to the prejudice of the Parliament and Publick; and, in pursuance of the same, have endeavour'd to divert the Forces engaged as for *Ireland*, and unto such their purpose, as aforesaid, here in *England*; and have, in like manner, endeavour'd to have gain'd a Power from the Parliament, for themselves or some of them, of diverting and misimploying those Forces aforesaid, and to raise new Forces under pretence to guard the Parliament; and (not having obtained that) have, in like manner, endeavoured privately to list and engage Officers and Soldiers, or procure them to be listed and engaged, without the Authority of Parliament, for the raising of, and embroiling the Kingdom in a new and bloody War, and to interrupt and hinder the settling and securing the Rights, Liberties, and Peace of the Kingdom; and for the settling, upholding, and protecting of themselves and their Accomplices, in their unjust, oppressive, and factious Designs and Proceedings.

V. That they have jointly or severally, invited, encouraged, abetted, or countenanced divers Reformadoes, and other Officers and Soldiers, tumultuously and violently to gather together at *Westminster*, to affright and assault the Members of Parliament in passage to and fro from the House, to offer violence to the House itself, and, by such Violences Outrages and Threats, to awe and inforce the Parliament.

All which Heads of Charge the Army promise to make good in Particulars, every Head against some of the Persons and some one Head or more against each of the Persons.

Vat

Votes of no more Addreſſes.

Monday, January 3. 1647.

THE Houſe of Commons ſate very cloſe this Day, from Morning until late at Night, upon Debate of *the King's laſt Meſſage*, and the Report from the Commiſſioners that preſented the Four Bills to His Majeſty; and upon the reſult of all (there being no Satisfaction given by His Majeſty's laſt Meſſage, as to the Deſires of the Parliament, for paſſing the Bills, or any Inclination in His Majeſty appearing for a Compoſure in that way, but the offer barely of a *Perſonal Treaty*, as alſo hath been much preſſed for by the *Scottiſh Commiſſioners* in their Papers, and who alſo diſſented to the Four Bills) after much Debate it was put to the Queſtion, *Whether any Addreſſes ſhould be made hereafter to His Majeſty*? And this, with other Votes, was then reſolved upon, as followeth:

Firſt, That no more Addreſſes be made from the Parliament to the King; nor any Letters or Meſſages received from him.

Secondly, That it ſhall be Treaſon for any Perſons whatſoever to deliver any Meſſage to the King, or receive any Letter or Meſſage from him, without leave from Both Houſes of Parliament.

Thirdly, That the Members of Both Houſes of the Committees of Both Kingdoms, have Power to Sit and Act alone (as formerly the Committees of Both Kingdoms had) for the ſafety of the Kingdom.

Fourthly, That the Earl of *Kent* be added to this Committee, in the place of the Earl of *Eſſex* deceaſed; and Sir *John Evelyn* and Mr. *Fiennes*, in the place of Sir *Philip Stapleton* deceaſed, and Mr. *Glynn*, Recorder, (now in the *Tower*.)

Fifthly, That a Committee be nominated to draw up a Declaration to be publiſhed, to ſatisfy the Kingdom of the Reaſon of paſſing theſe Votes.

Laſtly, That the Concurrence of the Lords be deſired to theſe Votes.

Votes for a Treaty with the King.

Aug. 24. 1648.

Pag. 182. RESOLVED by the Lords and Commons in Parliament assembled,

That for opening a Way towards a Treaty with His Majesty, the Votes of Non-Addresses be revoked.

That His Majesty be desired to send to the Houses, the Names of such Persons as he shall conceive to be of necessary use to be about him during this Treaty, they not being Persons excepted by the Houses from Pardon, or under Restraint, or in actual War against the Parliament by Sea or Land, or in such Numbers as may draw any just Cause of Suspicion: And that His Majesty shall be in the Isle of *Wight*, in the same State and Freedom as he was in when he was last at *Hampton-Court*.

That such Domestick Servants (not being in the former Limitations) as His Majesty shall appoint to come and attend upon His Majesty's Person, shall be sent unto him.

That the Town of *Newport*, in the Isle of *Wight*, shall be the place of Treaty.

That any of the *Scottish* Nation, whom the King pleases, (not being in the Limitations aforesaid) shall have the Parliaments safe Conduct to come to him.

That Five Lords and Ten Members of the Commons be Commissioners to Treat with the King.

The chief Heads of the Army's Remonſtrance, preſented to the Houſe of Commons, Nov. 20. 1648. *by Colonel* Ewers, *Lieutenant-Colonel* Kelſey, *Lieutenant-Colonel* Axtel, *Lieutenant-Colonel* Cook, *Captain* Pritty, *Captain* Canon, *Captain* Morris, *with a Letter from General* Fairfax, *preſſing that it may have a preſent reading.*

I. THey conceive the Parliament hath abundant Cauſe to lay aſide any further Proceeding in this Treaty, and to return to their Votes of *Non-Addreſſes*, and ſettle with or againſt the King, that he may come no more to Government; and this, firſt by rejecting thoſe Demands of the King for Himſelf and Party, eſpecially concerning his Reſtitution and coming to *London* with freedom; and that they proceed againſt the King in way of Juſtice, as the Capital and Grand Author of all our Troubles, by whoſe Procurement, and for whoſe Intereſt only of Will and Power, all our Wars have been.

II. That a Day may be ſet for the Prince of *Wales* and the Duke of *York* to come in; by which time if they do not, that then they may be immediately declared incapable of any Government or Truſt in this Kingdom or its Dominions, and thence to ſtand exiled for ever, as Enemies and Traytors, to die without Mercy, if ever after found and taken therein. Or if by the time limited they do render themſelves, that then the Prince be proceeded with, as on his appearance he ſhall give ſatisfaction or not; and the Duke, as he ſhall give ſatisfaction, may be conſider'd as to future Truſt or not. But, however, that the Revenue of the Crown, (ſaving neceſſary Allowances for the Children, and for Servants and Creditors to the Crown) be ſequeſter'd, and the coſtly Pomp ſuſpended for a good number of Years; and that this Revenue be for that time diſpoſed toward publick Charges, Debts, and Damages, for the eaſing of the People; ſo as the Eſtates neither of Friends to publick Intereſt, nor alone of inferior Enemies thereto, may bear wholly the burden of that Loſs and Charge which by and for that Family the Kingdom hath been put to.

III. That

III. That Capital Punishment be speedily executed upon a competent number of his chief Instruments also, both in former and later Wars; and that some of both sorts be pitcht upon as are really in your Hands or Reach.

IV. That the rest of the Delinquents, *English*, may, upon rendring themselves to Justice, have Mercy for their Lives; and that only Fines be set upon them, and their Persons declared incapable of any publick Trust, or having any Voice in Elections thereto, at least for a good number of Years: And that a short Day may be set, by which all such Delinquents may come in; and for those who come not in by that Day, that their Estates be absolutely confiscate and sold to the publick Use, and their Persons stand exiled as Traytors, and to Die without Mercy, if ever found after in the Kingdom or its Dominions.

V. That the satisfaction of Arrears to the Soldiery, with other publick Debts, and competent Reparations of publick Damages, may be put into some orderly way: And therefore that the Fines and Compositions of Delinquents be disposed to those Uses only; as also the Confiscations of such who shall be excluded from Pardon, or not come in by the Day assigned.

Now after Publick Justice thus far provided for, we proceed in order to the general satisfaction and settling of the Kingdom.

I. That you would set some reasonable and certain Period to your own Power.

II. That with a Period to this Parliament, there may be a Settlement of the Peace and future Government of the Kingdom.

First, That there may be a certain Succession of future Parliaments, Annual or Biennial, with secure Provision, 1. For the certainty of their Sitting, Meeting, and Ending. 2. For equal Elections. 3. For the Peoples meeting to elect; provided that none engaged in War against the Kingdom may elect or be elected, nor any other who oppose this Settlement. 4. For clearing the future Power of Parliaments as Supreme; only they may not give away any foundation of common Right. 5. For liberty of entring Dissents in the said Representatives; that the People may know who are not fit for future Trusts, but without any further Penalty for their free Judgments.

Secondly,

Secondly, That no King be hereafter admitted, but upon Election of, and as upon Truſt from the People, by ſuch their Repreſentatives, not without firſt diſclaiming all pretence to a negative Voice againſt the Determinations of the Commons in Parliament; and this to be done in ſome Form more clear than heretofore in the Coronation-Oath.

Theſe Matters of General Settlement we propound to be provided by the Authority of the Commons in this Parliament, and to be farther eſtabliſhed by a general Contract or Agreement of the People, with their Subſcriptions thereunto. And that no King be admitted to the Crown, nor other Perſon to any Office of Publick Truſt, without expreſs accord and ſubſcription to the ſame.

Members ſeized on by the Army, as they were entring into the Houſe.

Sir *Robert Harley.*
Col. *Harley.*
Sir *William Waller.*
Sir *Walter Earl.*
Sir *Samuel Luke.*
Sir *Richard Onſlow.*
Sir *John Merreck.*
Sir *Martin Lyſter.*
Lord *Wenman.*
Mr. *Knightly.*
Sir *Gilbert Gerrard.*
Sir *Benjamin Rudyard.*
Mr. *Francis Gerrard.*
Mr. *Swinfyn.*
Mr. *Crew.*
Mr. *Edward Stephens.*
Mr. *Buller.*
Sir *Harbottle Grimſton.*
Mr. *Bunkley.*
Major General *Maſſey.*
Mr. *Walker.*
Sir *Robert Pye.*
Mr. *Henry Pelham.*
Colonel *Leigh.*
Sir *Antony Irby.*
Sir *Thomas Soam.*
Colonel *Birch.*
Mr. *Lane.*
Mr. *Wheeler.*
Mr. *Drake.*
Mr. *Greene.*
Mr. *Bowton.*
Mr. *Prynne.*
Mr. *Prieſtly.*
Sir *Simon Dews.*
Sir *William Lewis.*
Sir *John Clotworthy.*
Col. *William Strode.*
Commiſſary *Copley.*
Mr. *Vaughan.*
Col. *Nathaniel Fiennes.*

An Act of the Commons of England *assembled in Parliament, for erecting of a High Court of Justice, for the Trying and Judging of* CHARLES STUART, *King of* England.

WHereas it is notorious, that *CHARLES STUART*, the now King of *England*, not content with those many Encroachments which his Predeceſſors had made upon the People in their Rights and Freedoms, hath had a wicked Deſign totally to ſubvert the ancient and fundamental Laws and Liberties of this Nation, and in their place to introduce an Arbitrary and Tyrannical Government, and that, beſides all other Evil Ways and Means to bring this Deſign to paſs, He hath proſecuted it with Fire and Sword, levied and maintain'd a cruel War in the Land againſt the Parliament and Kingdom, whereby the Country hath been miſerably waſted, the Publick Treaſure exhauſted, Trade decayed, Thouſands of People murder'd, and infinite other Miſchiefs committed: For all which High and Treaſonable Offences, the ſaid *CHARLES STUART* might long ſince juſtly have been brought to exemplary and condign Puniſhment: Whereas alſo the Parliament well hoping that the Reſtraint and Impriſonment of his Perſon, after it had pleaſed GOD to deliver him into their Hands, would have quieted the Diſtempers of the Kingdom, did forbear to proceed Judicially againſt him; but found by ſad experience, that ſuch their Remiſneſs ſerved only to encourage him and his Complices in the continuance of their Evil Practices, and in raiſing of new Commotions, Rebellions, and Invaſions; for prevention therefore of the like or greater Inconveniencies, and to the end no Chief Officer or Magiſtrate whatſoever may hereafter preſume, traiterouſly or maliciouſly, to imagine or contrive the enſlaving or deſtroying of the *Engliſh* Nation, and to expect Impunity for ſo doing; Be it Ordained and Enacted by the Commons in Parliament, and it is hereby Ordained and Enacted by Authority thereof, That *Thomas* Lord *Fairfax*, *Oliver Cromwel*, *Henry Ireton*, Eſquires; Sir *Hardreſs Waller*, Knight; *Philip Skippon*, *Valentine Wauton*, *Thomas Harriſon*, *Edward Whalley*, *Thomas Pride*, *Iſaac Ewer*, *Richard Ingoldſby*, *Henry Mildmay*, Eſquires; Sir *Thomas Honywood*,

Henywood, *Thomas* Lord *Grey* of *Groby*, *Philip* Lord *Liſle*, *William* Lord *Mounſon*, Sir *John Danvers*, Sir *Thomas Maleverer*, Baronet; Sir *John Bourchier*, Sir *James Harrington*, Sir *William Allanſon*, Sir *Henry Mildmay*, Sir *Thomas Wroth*, Knights; Sir *William Maſham*, Sir *John Barrington*, Sir *William Brereton*, Baronets; *Robert Wallop*, *William Heveningham*, Eſquires; *Iſaac Pennington*, *Thomas Atkins*, *Rowland Wilſon*, Aldermen of the City of *London*; Sir *Peter Wentworth*, Knight of the *Bath*; *Henry Martin*, *William Purefoy*, *Godfrey Boſvile*, *John Trenchard*, *Herbert Morley*, *John Berkſtead*, *Matthew Tomlinſon*, *John Blackiſton*, *Gilbert Millington* Eſquires; Sir *William Conſtable*, Baronet; *Edmond Ludlow*, *John Lambert*, *John Hutchinſon*, Eſquires; Sir *Arthur Haſlerig*, Sir *Michael Liveſey*, Baronets; *Richard Salwey*, *Humphry Salwey*, *Robert Tichbourne*, *Owen Roe*, *Robert Manwaring*, *Robert Lilbourne*, *Adrian Scroop*, *Richard Dear*, *John Okey*, *Robert Overton*, *John Huſon*, *John Deſborough*, *William Goff*, *Robert Duckenfield*, *Cornelius Holland*, *John Carew*, Eſquires; Sir *William Armyn*, Baronet; *John Jones*, *Miles Corbet*, *Francis Allen*, *Thomas Liſter*, *Benjamin Weſton*, *Peregrine Pelham*, *John Gourdon*, Eſquires; *Francis Thorp*, Serjeant at Law; *John Nutt*, *Thomas Challoner*, *Algernon Sydney*, *John Anlaby*, *John Moor*, *Richard Darley*, *William Say*, *John Alured*, *John Fagg*, *James Nelthorpe*, Eſquires; Sir *William Roberts*, Knight; *Francis Laſtels*, *Alexander Rigby*, *Henry Smith*, *Edmond Wild*, *James Challoner*, *Joſias Berners*, *Dennis Bond*, *Humphrey Edwards*, *Gregory Clement*, *John Fry*, *Thomas Wogan*, Eſquires; Sir *Gregory Norton*, Baronet; *John Bradſhaw*, Serjeant at Law; *Edmond Harvey*, *John Dove*, *John Ven*, Eſquires; *John Fowkes*, Alderman of the City of *London*; *Thomas Scot*, Eſq; *Thomas Andrews*, Alderman of the City of *London*; *William Cawley*, *Abraham Burrel*, *Antony Stapeley*, *Roger Gratwick*, *John Downs*, *Thomas Horton*, *Thomas Hammond*, *George Fenwick*, Eſquires; *Robert Nicholas*, Serjeant at Law; *Robert Reynolds*, *John Liſle*, *Nicholas Love*, *Vincent Potter*, Eſquires; Sir *Gilbert Pickering*, Baronet; *John Weaver*, *Roger Hill*, *John Lenthal*, Eſquires; Sir *Edward Banton*, *John Corbet*, *Thomas Blunt*, *Thomas Boon*, *Auguſtine Garland*, *Auguſtine Skinner*, *John Dixwel*, *George Fleetwood*, *Simon Meyne*, *James Temple*, *Peter Temple*, *Daniel Blagrave*, Eſquires; Sir *Peter Temple*,

Temple, Knight and Baronet; *Thomas Wayte*, *John Brown*, *John Lowry*, Eſquires; ſhall be, and are hereby appointed and required to be Commiſſioners and Judges for the Hearing, Trying, and Adjudging of the ſaid *CHARLES STUART*. And the ſaid Commiſſioners, or any Twenty or more of them, ſhall be, and are hereby authorized and conſtituted an High Court of Juſtice, to meet and ſit at ſuch convenient Time and Place as by the ſaid Commiſſioners, or the major part of Twenty or more of them, under their Hands and Seals ſhall be appointed and notified by publick Proclamation in the Great Hall or Palace-Yard at *Weſtminſter*, and to adjourn from Time to Time, and from Place to Place, as the ſaid High Court, or major part thereof meeting, ſhall hold fit: And to take Order for the Charging of him the ſaid *CHARLES STUART*, with the Crimes and Treaſons abovementioned; and for the receiving of his Perſonal Anſwer thereunto, and for the Examination of Witneſſes upon Oath, which the Court hath hereby Authority to adminiſter, or otherwiſe, and taking any other Evidence concerning the ſame; and thereupon, or in default of ſuch Anſwer to proceed to final Sentence, according to Juſtice and the Merit of the Cauſe, and ſuch final Sentence to execute, or cauſe to be executed ſpeedily and impartially. And the ſaid Court is hereby authorized and required to appoint and direct all ſuch Officers, Attendants, and other Circumſtances, as they, or the major Part of them, ſhall in any ſort judge neceſſary or uſeful for the orderly and good managing of the Premiſes. And *Thomas* Lord *Fairfax* the General, and all Officers and Soldiers under his Command, and all Officers of Juſtice, and other well-affected Perſons, are hereby authorized and required to be aiding and aſſiſting unto the ſaid Court in the due Execution of the Truſt hereby committed. Provided that this Act, and the Authority hereby granted, do continue in force for the ſpace of one Month, from the making hereof, and no longer.

Hen. Scobell, Cler. Par. Dom. Com.

The Commiſſioners appointed *Edward Dendy*, Sejeant at Arms, Mr. *Aſke*, Dr. *Doriſlaus*, Mr. *Steel*, and Mr. *Cooke*, Council to attend the Court; Mr. *Greaves*, and Mr. *John Phelpes*, Clerks, but *Andrew Broughton* was afterwards named

named in *Greaves*'s room. Mr. *Edward Walford*, Mr. *John Powel*, Mr. *John King*, Mr. *Phineas Payne*, and Mr. *Hull*, Mr. *Litchman*, Messengers.

John Bradshaw, Serjeant at Law, was made President of the Court, and Mr. *Say* President in his absence.

During the Trial the King was lodged at Sir *Robert Cotton*'s House.

A Charge of High Treason, and other High Crimes, Exhibited to the *High Court of Justice* by *John Cooke*, Esq; Sollicitor General, appointed by the said Court, for, and on the behalf of the Poeple of *England*, against *CHARLES STUART* King of *England*.

THat *He the said* CHARLES STUART, *being admitted King of* England, *and therein trusted with a limited Power to govern by, and according to the Laws of the Land, and not otherwise; and by his Trust, Oath and Office, being obliged to use the Power committed to him, for the Good and Benefit of the People, and for the Preservation of their Rights and Liberties; Yet nevertheless, out of a wicked Design to erect and uphold in himself an unlimitted and tyrannical Power to rule according to his Will, and to overthrow the Rights and Liberties of the People, yea, to take away and make void the Foundations thereof, and of all redress and remedy of misgovernment, which by the Fundamental Constitutions of this Kingdom, were reserved on the Peoples behalf, in the Right and Power of frequent and successive Parliaments or National Meetings in Council, He the said* CHARLES STUART, *for accomplishment of such his Designs, and for the Protecting of himself and his Adherents, in his and their wicked Practices, to the same Ends, hath traiterously and maliciously levied War against the present Parliament, and the People therein represented; particularly, upon or about the Thirtieth Day of* June, *in the Year of our Lord* 1642. *at* Beverley, *in the County of* York; *and upon or about the Thirtieth Day of* July, *in the Year aforesaid, in the County of the City of* York; *and upon*

on or about the Four and twentieth Day of Auguſt *in the ſame Year, at the County of the Town of* Nottingham, *where, and when he ſet up his Standard of War; and alſo on or about the Twenty-third Day of* October *in the ſame Year, at* Edge-Hill *and* Keynton *Field, in the County of* Warwick; *and upon or about the Thirtieth Day of* November *in the ſame Year, at* Brainford, *in the County of* Middleſex; *and upon or about the Thirtieth of* Auguſt, *in the Year of our Lord.* 1643, *at* Caverſham-Bridge *near* Reading, *in the County of* Berks; *and upon or about the Thirtieth Day of* October, *in the Year laſt mentioned, at or near the City of* Glouceſter; *and upon or about the Thirtieth Day of* November *in the Year laſt mentioned, at* Newbury, *in the County of* Berks; *and upon or about the Thirty-firſt Day of* July *in the Year of our Lord* 1644, *at* Cropredy-Bridge *in the County of* Oxon; *and upon or about the Thirtieth Day of* September, *in the Year laſt mentioned, at* Bodwyn, *and other Places near adjacent, in the County of* Cornwal; *and upon or about the Thirtieth Day of* November, *in the Year laſt mentioned, at* Newbury *aforeſaid; and upon or about the Eighth Day of* June, *in the Year of our Lord* 1645, *at the Town of* Leiceſter; *and alſo upon the Fourteenth Day of the ſame Month in the ſame Year, at* Nazeby-Field *in the County of* Northampton. *At which ſeveral Times and Places, or moſt of them, and at many other Places in this Land, at ſeveral other Times within the Years aforementioned; and in the Year of our Lord* 1646, *He the ſaid* CHARLES STUART *hath cauſed and procured many Thouſands of the free People of this Nation to be ſlain, and by Diviſions, Parties, and Inſurrections within this Land, by Invaſions from foreign Parts, endeavoured and procured by him, and by many other evil ways and means, He the ſaid* CHARLES STUART *hath not only maintained and carried on the ſaid War, both by Land and Sea, during the Year beforementioned, but alſo hath renewed, or cauſed to be renewed the ſaid War againſt the Parliament and good People of this Nation, in this preſent Year* 1648. *in the Counties of* Kent, Eſſex, Surrey, Suſſex, Middleſex, *and many other Counties and Places in* England *and* Wales; *and alſo by Sea. And particularly he the ſaid* CHARLES STUART, *hath, for that purpoſe, given Commiſſion to his Son the Prince, and others, whereby, beſides multitudes of other Perſons, many ſuch as were by the Parliament intruſted*

ſted and employed for the ſafety of the Nation (being by him or his Angels corrupted to the betraying of their Truſt, and ravolting from the Parliament) have had Entertainment and Commiſſion for the continuing and renewing of War and Hoſtility againſt the ſaid Parliament and People, as aforeſaid; by which cruel and unnatural Wars, by him the ſaid CHARLES STUART *Levied, Continued and Renewed as aforeſaid, much innocent Blood of the free People of this Nation hath been ſpilt, many Families have been undone, the Publick Treaſury waſted and exhauſted, Trade obſtructed and miſerably decayed, vaſt Expence and Damage to the Nation incurred, and many parts of this Land ſpoiled, ſome of them even to deſolation. And for further Proſecution of his ſaid evil Deſigns, He the ſaid* CHARLES STUART, *doth ſtill continue his Commiſſions to the ſaid Prince, and other Rebels and Revolters both* Engliſh *and Foreigners, and to the* E. *of* Ormond, *and to the* Iriſh *Rebels and Revolters aſſociated with him; from whom further Invaſions upon this Land are threatned, upon the procurement and on the behalf of the ſaid* CHARLES STUART.

All which wicked Deſigns, Wars and evil Practices, of him the ſaid CHARLES STUART, *have been, and are, carried on for the advancement and upholding of a Perſonal Intereſt of Will and Power, and pretended Prerogative to himſelf and his Family, againſt the publick Intereſt, Common Right, Liberty, Juſtice and Peace of the People of this Nation, by and for whom he was intruſted as aforeſaid.*

By all which it appeareth, that He the ſaid CHARLES STUART *hath been, and is the Occaſioner, Author, and Continuer of the ſaid unnatural, cruel, and bloody Wars, and therein guilty of all the Treaſons, Murders, Rapines, Burnings, Spoils, Deſolations, Damages and Miſchiefs to this Nation, acted and committed in the ſaid Wars, or occaſioned thereby.*

And the ſaid *John Cook* by Proteſtation ſaving on the behalf of the ſaid People of *England*, the liberty of exhibiting at any time hereafter any other Charge againſt the ſaid *CHARLES STUART*, and alſo of replying to the Anſwers which the ſaid *CHARLES STUART* ſhall make to the Premiſes, or any of them, or any other Charge

that ſhall be ſo exhibited, doth, for the ſaid Treaſons and Crimes, on the Behalf of the ſaid People of *England*, impeach the ſaid *CHARLES STUART*, as a Tyrant, Traitor, Murderer, and a publick and implacable Enemy to the Commonwealth of *England*, and pray that the ſaid *CHARLES STUART* King of *England*, may be put to anſwer all and every the Premiſes, and that ſuch Proceedings, Examinationss, Trials, Sentences and Judgments may be thereupon had, as ſhall be agreeable to Juſtice.

Subſcribed, *John Cooke.*

The Priſoner, while the Charge was reading, ſate down in his Chair, looking ſometimes on the High Court, and ſometimes on the Galleries, and roſe again, and turned about to behold the Guards and Spectators, and after ſate down, looking very ſternly; and with a Countenance not at all moved, till theſe Words, *viz.* CHARLES STUART *to be a Tyrant, Traitor*, &c. were read; at which he laughed, as he ſate, in the Face of the Court.

Court called, *January* 22. 1648.

The King is again brought Priſoner to the Bar, as on *Saturday* laſt; Proclamation is made for Silence.

Cooke. *MAY it pleaſe your Lordſhip, my* Lord Preſident, *I did at the laſt Court, in the Behalf of the* Commons *of* England, *exhibit and give in, to this Court, a Charge of High Treaſon, and other High Crimes againſt the Priſoner at the Bar; whereof I do accuſe him in the Name of the People of* England; *and the Charge was read unto him, and his Anſwer required. My* Lord, *He was not pleaſed to give an Anſwer; but, inſtead of anſwering did there diſpute the Authority of this* High Court. *My humble Motion to this* High Court, *in the Behalf of the Kingdom of* England, *is, That the Priſoner may be directed to make a poſitive Anſwer, either by way of Confeſſion or Negation; which, if he ſhall refuſe to do, that then the Matter of Charge may be taken,* pro confeſſo, *and the Court may proceed, according to Juſtice.*

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Bradshaw. Sir, You may remember, at the last Court you were told the occasion of your being brought hither, and you heard a Charge read against you, containing a Charge of *High Treason*, and other High Crimes, against this Realm of *England*; you have heard likewise, that it was prayed in the Behalf of the People, that you should give an Answer to that Charge, that thereupon such Proceedings might be had, as should be agreeable to Justice: You were then pleased to make some Scruples concerning the Authority of this Court, and knew not by what Authority you were brought hither: You did divers times propound your Questions, and were as often answered, That it was by Authority of the *Commons* of *England* Assembled in Parliament, that did think fit to call you to Account for those High and Capital Misdemeanors wherewith you were then charged.

Since that, the Court hath taken into Consideration what you then said: They are fully satisfied with their own Authority, and they hold it fit you should stand satisfied with it too; and they do require it, that you do give a positive and particular Answer to this Charge that is exhibited against you. They do expect you should either confess or deny it: If you deny it, it is offered, in the Behalf of the Kingdom, to be made good against you. Their Authority they do avow to the whole World, that the whole Kingdom are to rest satisfied in, and you are to rest satisfied with it; and therefore you are to lose no more time, but to give a positive Answer thereunto.

King. *When I was here last, 'tis very true, I made that Question; and if it were only my own particular Case, I would have satisfied my self with the Protestation I made the last time I was here, against the Legality of this Court, and that a King cannot be Tryed by any superior Jurisdiction on Earth: But it is not my Case alone, it is the Freedom and the Liberty of the People of* England; *and, do you pretend what you will, I stand more for their Liberties. For if Power without Law, may make Laws, may alter the Fundamental Laws of the Kingdom, I do not know what Subject he is in* England *that can be sure of his Life, or any thing that he calls his own: Therefore, when that I came here, I did expect particular Reasons, to know by what Law, what Authority you did proceed against Me here; and therefore I am a little to seek what to say to you in this Particular, because the Affirmative is to be proved, the*

Negative often is very hard to do: But since I cannot persuade you to do it, I shall tell you my Reasons as short as I can.

My Reasons why in Conscience, and the Duty I owe to GOD first, and my People next, for the Preservation of their Lives, Liberties, and Estates, I conceive I cannot answer this, till I be satisfied of the legality of it.

All Proceedings against any Man whatsoever ----

Bradshaw. Sir, I must interrupt you; which I would not do, but that what you do, is not agreeable to the Proceedings of any Court of Justice. You are about to enter into Argument and Dispute concerning the Authority of this Court, before whom you appear as a Prisoner, and are charged as an high Delinquent: If you take upon you to dispute the Authority of the Court, we may not do it, nor will any Court give way unto it; you are to submit unto it, you are to give a punctual and direct Answer, whether you will answer your Charge or no, and what your Answer is.

King. *Sir, By your Favour, I do not know the Forms of Law; I do know Law and Reason, tho' I am no Lawyer professed: But I know as much Law as any Gentleman in* England, *and therefore, under Favour, I do plead for the Liberties of the People of* England *more than you do; and therefore if I should impose a Belief upon any Man without Reasons given for it, it were unreasonable: But I must tell you, that, by that Reason that I have, as thus informed, I cannot yield unto it.*

Bradshaw. Sir, I must interrupt you; you may not be permitted: You speak of Law and Reason; it is fit there should be Law and Reason; and there is both against you. Sir, The Vote of the *Commons* of *England* assembled in Parliament, it is the Reason of the Kingdom; and they are these too that have given that Law according to which you should have Ruled and Reigned, Sir, You are not to dispute our Authority, you are told it again by the Court; Sir, it will be taken notice of, that you stand in Contempt of the Court, and your Contempt will be recorded accordingly.

King. *I do not know how a King can be a Delinquent but by any Law that ever I heard of, all Men (Delinquent or what you will) let me tell you, they may put in Demurrers against any Proceeding as legal; and I do demand the and demand to be heard with my Reasons; if you deny the you deny Reason.*

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Bradshaw. Sir, You have offered something to the Court; I shall speak something unto you, the Sense of the Court. Sir, neither you nor any Man are permitted to dispute that Point; you are concluded, you may not demur to the Jurisdiction of the Court; if you do, I must let you know that they over-rule your Demurrer: They sit here by the Authority of the *Commons* of *England*, and all your Predecessors and you are responsible to them.

King. *I deny that; shew me one Precedent.*

Bradshaw. Sir, You ought not to interrupt while the Court is speaking to you. This Point is not to be debated by you, neither will the Court permit you to do it: If you offer it by way of Demurrer to the Jurisdiction of the Court, they have considered of their Jurisdiction, they do affirm their own Jurisdiction.

King. *I say*, Sir, *By your Favour, that the* Commons *of* England *was never a Court of Judicature; I would know how they came to be so.*

Bradshaw. Sir, You are not to be permitted to go on in that Speech, and these Discourses.

Then the Clerk of the Court read,

CHARLES STUART, King of *England*, You have been accused, on the Behalf of the People of *England*, of High Treason, and other High Crimes; the Court have determined that you ought to answer the same.

King. *I will answer the same, as soon as I know by what Authority you do this.*

Bradshaw. If this be all that you will say, then, *Gentlemen*, you that brought the Prisoner hither, take Charge of him back again.

King. *I do require that I may give in my Reasons why I do not answer; and give me time for that.*

Bradshaw. Sir, 'Tis not for Prisoners to require.

King. *Prisoners, Sir, I am not an ordinary Prisoner.*

Bradshaw. The Court hath consider'd of their Jurisdiction, and they have already affirmed their Jurisdiction: If you will not answer, we will give Order to record your Default.

King. *You never heard my Reasons yet.*

Bradshaw. Sir, Your Reasons are not to be heard against the highest Jurisdiction.

King. *Shew Me that Jurisdiction where Reason is not to be heard.*

Bradshaw. Sir, We shew it you here, *The Commons of England;* and the next time you are brought you will know more of the Pleasure of the Court; and it may be, their final Determination.

King. *Shew me where ever the* House of Commons *was a Court of Judicature of that kind.*

Bradshaw. Serjeant, Take away the Prisoner.

King. *Well, Sir, remember that the King is not suffered to give in his Reasons for the Liberty and Freedom of all his Subjects.*

Bradshaw. Sir, You are not to have Liberty to use this Language. How great a Friend you have been to the Laws and Liberties of the People let all *England* and the World judge.

King. *Sir, Under Favour, it was the Liberty, Freedom, and Laws of the Subject that ever I took ----- defended My self with Arms: I never took up Arms against the People, but for the Laws.*

Bradshaw. The Command of the Court must be obeyed: No Answer will be given to the Charge.

King. *Well, Sir.*

Then *Bradshaw* ordered the Default to be Recorded, and the Contempt of the Court, and that no Answer would be given to the Charge.

The King was guarded forth to Sir *Robert Cotton*'s House.

The Court Adjourned to the *Painted Chamber* on *Tuesday* at Twelve of the Clock, and from thence they intend to Adjourn to *Westminster-Hall*, at which time all Persons concern'd are to give their Attendance.

His Majesty not being suffered to deliver his Reasons against the Jurisdiction of their pretended Court, by word of Mouth, thought fit to leave them in Writing to the more impartial Judgment of Posterity, as followeth;

HAving already made my Protestations, not only against the Illegality of this pretended Court, but also, That no Earthly Power can justly call Me (*who am your King*) in question, as a Delinquent; *I would not any more open My Mouth upon this Occasion, more than to refer myself to what I have spoken, were I in this Case alone concerned: But the Duty I owe to GOD in the Preservation of the true Liberty of My People, will not suffer Me at this time to be*

be ſilent: For, how can any Free-born Subject of England *call Life, or any thing the poſſeſſeth, his own, if Power without Right, daily make New, and abrogate the Old Fundamental Law of the Land? Which I now take to be the preſent Caſe. Wherefore, when I came hither, I expected that you would have endeavoured to have ſatisfied Me concerning theſe Grounds which hinder me to anſwer to your pretended Impeachment: But ſince I ſee that nothing I can ſay, will move you to it* (tho' Negatives *are not ſo naturally proved as* Affirmatives) *yet I will ſhew you the Reaſon why I am confident you cannot Judge Me, nor indeed the meaneſt Man in* England: *For I will not* (*like you*) *without ſhewing my Reaſon, ſeek to impoſe a Belief upon my Subjects.*

There is no Proceeding Juſt againſt any Man, but what is warranted either by GOD's Laws, or the Municipal Laws of the Country where he lives. Now I am moſt confident, This Day's Proceeding cannot be warranted by GOD's Law; for, on the contrary, The Authority of Obedience unto Kings, is clearly warranted, and ſtrictly commanded both in the Old and New Teſtament; which, if denied, I am ready inſtantly to prove.

Hereabout I was ſtopt, and not ſuffered to ſpeak any more concerning *Reaſons.*

And for the Queſtion now in hand, there it is ſaid, That, Where the Word of a King is, There is Power; and who may ſay unto Him, What doſt Thou? *Eccl.* 8 4. *Then for the Law of this Land, I am no leſs confident, That no Learned Lawyer will affirm, That,* An Impeachment can lie againſt the King; they all going in his Name: *And one of their Maxims is, That* The King can do no Wrong. *Beſides, The Law upon which you ground your Proceedings, muſt either be Old or New; if Old, ſhew it; if New, tell what Authority, warranted by the Fundamental Laws of the Land, hath made it, and when. But how the* Houſe of Commons *can erect a Court of Judicature, which was never one itſelf,* (*as is well known to all Lawyers*) *I leave to GOD and the World to judge: And it were full as ſtrange that they ſhould pretend to make* Laws *without* King *or* Lords Houſe, *to any that have heard ſpeak of the Laws of* England.

And admitting, but not granting, That the People of England's *Commiſſion could grant your* Pretended Power, *I ſee nothing you can ſhew for that; for certainly you ne-*

ver asked the Question of the Tenth Man *in the Kingdom; and in this Way you manifestly wrong even the* Poorest Ploughman, *if you demand not his free Consent; nor can you pretend any Colour for this your* Pretended Commission, *without the Consent, at least, of the* Major Part *of every Man in* England, *of whatsoever Quality or Condition, which I am sure you never went about to seek; so far are you from having it. Thus you see that I speak not for my own Right alone, as I am* your King, *but also for the true Liberty of all* My Subjects; *which consists not in the* Power of Government, *but in* Living under such Laws, such a Government, *as may give themselves the best Assurance of their* Lives, *and* Property *of their* Goods. *Nor in this, must, or do I forget the* Privileges *of* Both Houses of Parliament; *which this Day's Proceedings do not only* Violate, *but likewise* Occasion *the greatest Breach of their* Publick Faith, *that (I believe) ever was heard of; with which I am far from charging the* Two Houses; *for all* Pretended Crimes *laid against Me, bear Date long before this Treaty at* Newport: *in which, I having concluded, as much as in Me lay, and hopefully expecting the* Houses *Agreement thereunto, I was suddenly surprized, and hurried from thence as a Prisoner; upon which Account I am, against My Will, brought hither; where, since I am come, I cannot but, to My Power, defend the ancient Laws and Liberties of this Kingdom, together with My own just Right. Then, for any thing I can see, the Higher House is totally excluded. And for the House of Commons, it is too well known that the Major Part of them are detained or deterred from Sitting; so as, if I had no other, this were sufficient for Me to protest against the Lawfulness of your* Pretended Court. *Besides all this, the Peace of the Kingdom is not the least in My Thoughts; and what Hopes of Settlement is there, so long as Power Reigns without Rule or Law, changing the whole Frame of that Government under which this Kingdom hath flourished for many Hundred Years? (nor will I say what will fall out, in case this lawless, unjust Proceeding against Me do go on.) And, believe it, the* Commons *of* England *will not thank you for this Change, for they will remember how happy they have been of late Years under the Reign of Queen* Elizabeth, *the King my Father, and My Self, until the beginning of these unhappy Troubles, and will have Cause to doubt that they shall never be so*

so happy under any New. And, by this time, it will be too sensibly evident, that the Arms I took up, were only to defend the Fundamental Laws of this Kingdom, against those who have supposed My Power hath totally changed the Ancient Government.

Thus having shewed you briefly the Reasons why I cannot submit to your *Pretended Authority*, without violating the Trust which I have from GOD for the Welfare and Liberty of My People, I expect from you either clear Reasons to convince My Judgment, shewing Me that I am in an Error, (and then truly I will answer) or that you will withdraw your Proceedings.

This I intended to speak in Westminster-Hall, *on* Monday, Jan. 22. *but, against Reason, was hindred to shew my Reasons.*

The Names of the Witnesses examined against the King, January 25. 1648.

William Cuthbert of *Patrington* in *Holderness*, *Yorkshire*, Gent. Aged 42 Years, or thereabouts.

John Bennet of *Harwood*, in the County of *York*, Glover.

William Brayne of *Wixhal*, in the County of *Salop*, Gent.

Henry Hartford of *Stratford* upon *Avon*, in *Warwickshire*.

Robert Lacy of the Town and County of *Nottingham*, Painter.

Edward Roberts of *Bishop-Castle* in the County of *Salop*, Ironmonger.

Robert Loads of *Cottam* in *Nottinghamshire*, Tyler.

Samuel Morgan of *Wellington* in Com. *Salop*, Feltmaker.

James Williams of *Ross* in *Herefordshire*, Shoemaker.

John Pynegar of the Parish of *Hainer*, in the County of *Derby*, Yeoman, Aged 37 Years, or thereabouts.

Samuel Lawson of *Nottingham*, Malster, Aged 30 Years.

Arthur Young, Citizen and Barber-Chirurgeon of *London*.

Thomas Whittington of the Town and County of *Nottingham*, Shoemaker, Aged 22 Years.

John Thomas of *Llangollen* in the County of *Denbigh*, Husbandman, Aged 25 Years.

Richard Blomfield, Citizen and Weaver of *London*, Aged 55 Years.

William

William Jones of *Uſke* in the County of *Monmouth*, Huſbandman, Aged 22 Years, or thereabouts.

Humphrey Browne of *Whitſondine* in the County of *Rutland*, Huſbandman, Aged 22 Years, or thereabouts.

David Evans of *Abergenny*, in the County of *Monmouth*, Smith, Aged about 23 Years.

Diogenes Edwards of *Carſton* in *the* County of *Salop*, Butcher, Aged 21 Years or thereabouts.

Giles Gryce of *Wellington* in *Shropſhire*, Gent.

John Vinſon of *Damorham* in the County of *Wilts*, Gent.

George Seely of *London*, Cordwainer.

John More of the City of *Corke* in *Ireland*, Gent.

Thomas Ives of *Boyſet*, in the County of *Northampton*, Huſbandman.

Tho. Rawlins of *Hanſlop* in the County of *Bucks*, Gent.

Thomas Read of *Maidſtone* in the County of *Kent*, Gent.

James Croſby of *Dublin* in *Ireland*, Barber.

Samuel Burden of *Lyneham* in the County of *Wilts*, Gent.

Michael Potts of *Sharpereton* in the County of *Northumberland*, Vintner.

George Cornwal of *Aſton* in the County of *Hereford*, Ferryman, Aged 50 Years, or thereabouts.

Henry Gooche of *Gray's-Inn* in the County of *Middleſex*, Gent.

Robert Williams of the Pariſh of St. *Martins*, in the County of *Cornwal*, Huſbandman, Aged about 23 Years.

Richard Price of *London*, Scrivener.

Mr. *Thomas Challoner* alſo reporteth ſeveral Papers and Letters of the King's writing, and under his own Hand.

After which the Court ſate private, taking into Conſideration the whole Matter in Charge againſt the King, paſſed theſe *Votes* following, as preparatory to the Sentence againſt the King, but Ordered that they ſhould not be binding finally to conclude the Court, *viz.*

Reſolved, upon the whole Matter, *That this Court will proceed to* Sentence of Condemnation *againſt* CHARLES STUART, *King of* England.

Reſolved, *&c. That the* Condemnation *of the King ſhall be for a* Tyrant, Traitor, *and* Murtherer.

That the Condemnation *of the King ſhall be likewiſe for being a publick Enemy to the* Commonwealth *of* England.

That this Condemnation ſhall extend to Death.

27 Jan.

27 Jan. 1648. *post Merid.* Westminster-Hall.

The *Lord President*, and the rest of the Commissioners come together from the *Painted Chamber* to *Westminster-Hall*, according to their Adjournment, and take their Seats there as formerly; and three Proclamations being made for Attendance and Silence. The Court is called.

The Commissioners present.

John Bradshaw, Serjeant at Law, L. Pres. of this Court.
John Lisle.
William Say.
Oliver Cromwel.
Henry Ireton.
Sir *Hardress Waller*, Knight.
Sir *John Bourchier*, Knight.
William Heveningham.
Isaac Pennington, Ald. of *Lon.*
Henry Marten.
William Purefoy.
John Barkstead.
Matthew Tomlinson.
John Blackistone.
Gilbert Millington.
Sir *William Constable*, Bar.
Edmond Ludlow.
John Hutchinson.
Sir *Michael Livesey*, Bar.
Robert Tichbourne.
Owen Roe.
Robert Lilburne.
Adrian Scroope.
Richard Deane.
John Okey.
John Huson.
William Goffe.
Cornelius Holland.
John Carew.
John Jones.
Miles Corbet.
Francis Allen.
Peregr. Pelham.
Daniel Blagrave.
Valentine Wanton.
Thomas Harrison.
Edward Whalley.
Thomas Pride.
Isaac Ewers.
Tho. L. *Grey* of *Groby.*
Sir *John Danvers.*
Sir *Tho. Maleverer*, Bar.
John Moor.
John Alured.
Henry Smith.
Humphrey Edwards.
Gregory Clement.
Thomas Wogan.
Sir *Gregory Norton*, Bar.
Edmond Harvey.
John Venn.
Thomas Scot.
Tho. Andrews, Ald. of *Lond.*
William Cawley.
Anthony Stapeley.
John Downs.
Thomas Horton.
Thomas Hammond.
Nicholas Love.
Vincent Potter.
Augustine Garland.
John Dixwel.
George Fleetwood.
Simon Meyne.
James Temple.
Peter Temple.
Thomas Waite.

The

THE King being come in his wonted Posture, with his Hat on, some of the Soldiers began to call for *Justice, Justice*, and *Execution*; but Silence being commanded, His Majesty began:

I desire a Word, to be heard a little; and I hope I shall give no Occasion of Interruption.

Bradshaw sawcily answered, You may answer in your time, hear the Court first.

His Majesty patiently replied, *If it please you, Sir, I desire to be heard; and I shall not give any Occasion of Interruption; and it is only a Word. A sudden Judgment* -----

Bradshaw. Sir, You shall be heard in due time; but you are to hear the Court first.

King. *Sir, I desire it; it will be in order to what I believe the Court will say: And therefore, Sir,* ---- *A hasty Judgment is not so soon recalled.*

Bradshaw. Sir, You shall be heard before the Judgment be given; and in the mean time you may forbear.

King. *Well, Sir, Shall I be heard before Judgment be given?*

Bradshaw. Gentlemen, It is well known to all or most of you here present, that the Prisoner at the Bar hath been several times convented and brought before this Court, to make Answer to a Charge of Treason, and other High Crimes exhibited against him in the Name of the People of *England:* To which Charge, being required to answer, he hath been so far from Obeying the Commands of the Court, by submitting to their Justice, as he began to take upon him to offer Reasoning and Debate unto the Authority of the Court, and to the highest Court, that appointed them to Try and Judge him: But being over-ruled in that, and required to make his Answer, he was still pleased to continue contumacious, and to refuse to submit to answer.

Here a Lady interposed, saying, Not half the People; *but was silenced with Threats.*

Hereupon, the Court, that they might not be wanting to themselves, nor the Trust reposed in them, nor that any Man's Wilfulness prevent Justice, they have thought fit to take the Matter into their Consideration; they have considered of the Charge, they have considered of the Contumacy, and of that Confession which in Law doth arise from that Contu-

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macy; they have likewiſe conſidered of the Notoriety of the Fact charged upon this Priſoner: And upon the whole Matter, they are reſolved, and are agreed upon a Sentence to be pronounced againſt this Priſoner. But in reſpect he doth deſire to be heard before the Sentence be read and pronounced, the Court hath reſolved that they will hear him.

Yet, Sir, Thus much I tell you before-hand, which you have been minded of at other Courts, That if that which you have to ſay, be to offer any Debate concerning the Juriſdiction, you are not to be heard in it. You have offered it formerly, and you have ſtruck at the Root, that is, the Power and ſupreme Authority of the *Commons* of *England*; which this Court will not admit a Debate of, and which indeed, it is an irrational thing in them to do, being a Court that acts upon Authority derived from them. But, Sir, if you have any thing to ſay in Defence of your ſelf, concerning the Matter Charged, the Court hath given me in Command to let you know they will hear you.

King. *Since I ſee that you will not hear any thing of Debate, concerning that which I confeſs I thought moſt material for the Peace of the Kingdom, and for the Liberty of the Subject, I ſhall wave it, I ſhall ſpeak nothing to it: But only I muſt tell you, That this many-a-day all things have been taken away from me, but that that I call dearer to Me than My Life, which is* My Conſcience, *and my* Honour: *And if I had a Reſpect to* My Life *more than the* Peace *of the* Kingdom, *and the* Liberty *of the* Subject, *certainly I ſhould have made a particular Defence for My ſelf; for by that, at leaſtwiſe, I might have delayed an ugly Sentence, which I believe will paſs upon Me. Therefore certainly, Sir, as a Man that hath ſome Underſtanding, ſome knowledge of the World, if that my true Zeal to my Country, had not overborn the Care that I have for my own Preſervation, I ſhould have gone another way to work than that I have done. Now, Sir, I conceive that an haſty Sentence once paſt, may ſooner be repented of, than recalled: And truly, the ſelfſame deſire that I have for the Peace of the Kingdom, and the Liberty of the Subjects, more than my own particular Ends, makes me now at laſt deſire,* That I having ſomething to ſay that concerns both, before Sentence be given, that I may be heard in the *Painted Chamber* before the Lords and Commons. *This Delay cannot be prejudicial unto you, whatſoever I ſay. If that I ſay no Reaſon, thoſe that*

that hear me must be Judges, I cannot be Judge of that that I have. If it be Reason, and really for the welfare of the Kingdom, and the Liberty of the Subject, I am sure on't, it is very well worth the hearing: Therefore I do conjure you, as you love that that you pretend, (I hope it is real) the Liberty of the Subject, the Peace of the Kingdom, that you will grant me this hearing before any Sentence be past. I only desire this, that you will take this into your consideration; it may be you have not heard of it beforehand. If you will, I will retire, and you may think of it: But if I cannot get this Liberty, I do protest that these fair Shews of Liberty and Peace, are pure Shews, and that you will not hear your King.

Bradshaw. Sir, You have now spoken.

King. *Yes, Sir.*

Bradshaw. And this that you have said is a further declining of the Jurisdiction of this Court, which was the thing wherein you were limitted before.

King. *Pray excuse me, Sir, for my Interruption, because you mistake Me. It is not a declining of it; you do judge me before you hear me speak. I say it will not, I do not decline it; tho' I cannot acknowledge the Jurisdiction of the Court, yet, Sir, in this, give me leave to say, I would do it, tho' I did not acknowledge it; in this I do protest, it is not the declining of it, since, I say, if that I do say any thing but that that is for the Peace of the Kingdom, and the Liberty of the Subject then the Shame is mine. Now I desire that you will take this into your Consideration: If you will, I will withdraw.*

Bradshaw, Sir, This is not altogether new that you have moved to us, not altogether new to us, tho' the first time in Person you have offered it to the Court. Sir, You say you do not decline the Jurisdiction of the Court.

King. *Not in this that I have said.*

Bradshaw. I understand you well, Sir, but nevertheless, that which you have offered, seems to be contrary to that saying of yours; for the Court are ready to give a Sentence. It is not as you say, *That they will not hear their King*, for they have been ready to hear you; they have patiently waited your Pleasure for three Courts together, to hear what you would say to the People's Charge against You: To which you have not vouchsafed to give any Answer at all. Sir, this tends to a further Delay. Truly, Sir, such Delays

lays as these, neither may the Kingdom nor Justice well bear. You have had three several Days to have offered in this kind what you would have pleased. This Court is founded upon that Authority of the *Commons* of *England*, in whom rests the supreme Jurisdiction. That which you now tender, is to have another Jurisdiction, and a co-ordinate Jurisdiction. I know very well, You express Your self, Sir, That notwithstanding that you would offer to the Lords and Commons in the *Painted Chamber*, yet nevertheless You would proceed on here; I did hear You say so. But, Sir, that you would offer there, whatever it is, must needs be in Delay of the Justice here; so as if this Court be resolved and prepared for the Sentence, this that You offer they are not bound to grant. But, Sir, according to that you seem to desire, and because you shall know the further Pleasure of the Court upon that which you have moved, the Court will withdraw for a Time.

This he did to prevent the Disturbance of their Scene by one of their own Members, Col. *John Downs*, who could not stifle the Reluctance of his Conscience, when he saw His Majesty press so earnestly for a short Hearing; but declaring himself unsatisfied, forced them to yield to the King's Request.

King. *Shall I withdraw?*

Bradshaw. Sir, you shall know the Pleasure of the Court presently.

The Court withdraws for half an Hour into the Court of Wards.

Serjeant at Arms. The Court gives Command that the Prisoner be withdrawn; and they give Order for his Return again.

Then withdrawing into the Chamber of the *Court of Wards*, their Business was not to consider of His Majesty's Desire, but to chide *Downs*, and with Reproaches and Threats to harden him to go through the Remainder of their Villany with them.

Which done, they return; and being sate, Bradshaw *commanded,*

Serjeant at Arms, Send for your Prisoner.

Who being come, Bradshaw *proceeded,*

Sir, You were pleased to make a Motion here to the Court, to offer a Desire of yours touching the propounding of some-

what

what to the Lords and Commons in the *Painted Chamber*, for the Peace of the Kingdom. Sir, You did in Effect receive an Answer before the Court Adjourned: Truly, Sir, their withdrawing and adjournment was, *pro formatantum*; for it did not seem to them that there was any Difficulty in the thing. They have considered of what you have moved, and have considered of their own Authority, which is founded upon the Supreme Authority of the *Commons* of *England* Assembled in Parliament: The Court acts accordingly to their Commission. Sir, The Return I have to you from the Court is this, That they have been too much delayed by you already, and this that you now offer hath occasioned some little further Delay; and they are Judges appointed by the Highest Authority, and Judges are no more to delay, than they are to deny Justice: They are good Words in the *Great Old Charter of* England, *Nulli negabimus, nulli vendemus, nulli deferemus Justitiam*: There must be no Delay. But the truth is, Sir, and so every Man here observes it, that you have much delayed them in your Contempt and Default, for which they might, long since, have proceeded to Judgment against you; and, notwithstanding what you have offered, they are resolved to proceed to Sentence and to Judgment, and that is their unanimous Resolution.

King. *Sir, I know it is in vain for me to dispute; I am no Sceptick for to deny the Power that you have; I know that you have Power enough.* Sir, I *must confess, I think it would have been for the Kingdom's Peace, if you would have taken the Pains to have shewn the Lawfulness of your Power.*

For this Delay that I *have desired,* I *confess it is a Delay; but it is a Delay very important for the Peace of the Kingdom: For it is not my Person that* I *look at alone, it is the Kingdom's Welfare and the Kingdom's Peace.*

It is an old Sentence, That we should think on long before we resolve of great Matters suddenly. *Therefore, Sir,* I *do say again, that* I *do put at your Doors all the Inconveniency of a hasty Sentence.* I *confess* I *have been here now,* I *think, this Week, this Day Eight Days was the Day* I *came here first; but a little Delay of a Day or two further, may give Peace, whereas a hasty Judgment may bring on that trouble and perpetual inconveniency to the Kingdom, that the Child that is unborn may repent it. And therefore*

again

again, out of the Duty I *owe to GOD and to my Country,* I *do desire that* I *may be heard by the Lords and Commons in the* Painted Chamber, *or any other* Chamber *that you will apppoint Me.*

Bradshaw. You have been already answered to what you even now moved, being the same you moved before, since the Resolution and the Judgment of the Court in it; and the Court now requires to know whether you have any more to say for yourself than you have said, before they proceed to Sentence.

King. I *say this, Sir, that if you hear me, if you will give me but this Delay,* I *doubt not but* I *shall give some Satisfaction to you all here, and to my People after that; and therefore* I *do require you, as you will answer it at the dreadful Day of Judgment, that you will consider it once again.*

Bradshaw. Sir, I have received Direction from the Court.

King. *Well, Sir.*

Bradshaw. If this must be re-inforced, or any thing of this Nature, your Answer must be the same; and they will proceed to Sentence, if you have nothing more to say.

King. I *have nothing more to say; but* I *shall desire that this may be entred what* I *have said.*

Bradshaw. The Court then, Sir, hath something to say unto you, which, altho' I know it will be very unacceptable, yet notwithstanding, they are willing and are resolved to discharge their Duty.

Then *Bradshaw* went on in a long Harangue, endeavouring to justify their Proceedings, misapplying Law and History, and raking up and wresting whatsoever he thought fit for his Purpose, alledging the Examples of former Treasons and Rebellions, both at home and abroad, as authentick Proofs; and concluding, that the King was a *Tyrant, Traytor, Murderer,* and *Publick Enemy* to the *Commonwealth* of *England.*

His Majesty having, with his wonted Patience, heard all these Reproaches, answered,

I *would desire only one Word before you give Sentence, and that is, That you would hear me concerning these great Imputations that you have laid to my Charge.*

Bradshaw. Sir, You must give me now leave to go on; for I am not far from your Sentence, and your time is now past.

King. *But I shall desire you will hear me a few words to you; for, truly, whatever Sentence you will put upon me, in respect of those heavy Imputations that I see by your Speech you have put upon me. Sir, it is very true that* ----

Bradshaw. Sir, I must put you in Mind: Truly, Sir, I would not willingly, at this time especially, interrupt you in any thing you have to say that is proper for us to admit of: But, Sir, you have not owned us as a Court, and you look upon us as a sort of People met together, and we know what Language we receive from your Party.

King. I *know nothing of that.*

Bradshaw. You disavow us as a Court, and therefore for you to address yourself to us, not to acknowledge us as a Court to judge of what you say, it is not to be permitted. And the truth is, all along from the first time you were pleased to disavow, and disown us, the Court needed not to have heard you one word; for, unless they be acknowledged a Court, and engaged, it is not proper for you to speak. Sir, we have given you too much Liberty already, and admitted of too much Delay, and we may not admit of any further. Were it proper for us to do, we should hear you freely, and we should not have declined to have heard you at large, what you could have said or proved on your Behalf, whether for totally excusing, or for in part excusing those great and heinous Charges that in whole or in part are laid upon you. But, Sir, I shall trouble you no longer; your Sins are of so large a Dimension, that if you do but seriously think of them they will drive you to a sad Consideration, and they may improve in you a sad serious Repentance. And that the Court doth heartily wish, that you may be so penitent for what you have done amiss, that GOD may have Mercy at leastwise upon your better part. Truly Sir, for the other, it is our Parts and Duties to do that that the Law prescribes. We are not here *Jus dare*, but *Jus dicere:* We cannot be unmindful of what the Scripture tells us, *For to acquit the Guilty is of equal Abomination as to condemn the Innocent.* We may not acquit the Guilty. What Sentence the Law affirms to a *Traitor*, *Tyrant*, *a Murderer*, and a *Publick Enemy* to the *Country*, that Sentence you are now to hear read unto you; and that is the Sentence of the Court.

Make an *O Yes*, and command Silence while the Sentence is read.

Whic

Which being done, their Clerk, *Broughton*, read the *Sentence*, drawn up in Parchment.

Whereas the Commons *of* England *Assembled in Parliament, have, by their late Act, Entituled,* An Act of the *Commons* of *England* Assembled in Parliament, for Erecting of an *High Court of Justice*, for the Trying and Judging of *CHARLES STUART* King of *England*; *Authorized and Constituted us an* High Court of Justice *for the Trying and Judging of the said* CHARLES STUART, *for the Crimes and Treasons in the said Act mentioned*; *by vertue whereof, the said* CHARLES STUART *hath been three several times convented before this High Court, where, the first Day, being* Saturday *the Twentieth of* Jan. *Instant, in pursuance of the said Act, a Charge of High Treason and other High Crimes, was, in the Behalf of the People of* England, *Exhibited against him, and read openly unto him, wherein he was charged, That he the said* CHARLES STUART, *being admitted King of* England, *and therein trusted with a limited Power to govern by, and according to the Law of the Land, and not otherwise*; *and by his Trust, Oath and Office, being obliged to use the Power committed to him, for the Good and Benefit of the People, and for the Preservation of their Rights and Liberties*; *yet nevertheless, out of a wicked Design to erect and uphold in himself an unlimited and tyrannical Power to rule according to his Will, and to overthrow the Rights and Liberties of the People, and to take away and make void the Foundations thereof, and of all redress and remedy of Misgovernment, which by the Fundamental Constitutions of this Kingdom, were reserved on the Peoples Behalf, in the Right and Power of frequent and successive Parliaments or National Meetings in Council, He the said* CHARLES STUART, *for accomplishment of such his Designs, and for the protecting of himself and his Adherents, in his and their wicked Practices, to the same End, hath traiterously and maliciously levied War against the present Parliament, and the People therein represented, as, with the circumstances of Time and Place, is in the said Charge more particularly set forth*; *and that he hath thereby caused and procured many Thousands of the free People of this Nation to be slain*; *and, by Divisions, Parties, and Insurrections within this Land, by Invasions from Foreign Parts, endeavoured and procured by him, and by*

many other evil ways and means, he the said CHARLES STUART *hath not only maintained and carried on the said War both by Sea and Land, but also hath renewed or caused to be renewed the said War against the Parliament and good People of this Nation, in this present Year* 1648. *in several Counties and Places in this Kingdom, in the Charge specified; and that he hath, for that purpose, given his Commission to his Son the Prince, and others, whereby, besides Multitudes of other Persons, many, such as were by the Parliament intrusted and employed, for the Safety of this Nation, being by him or his Agents corrupted, to the betraying of their Trust, and revolting from the Parliament, have had Entertainment and Commission for the continuing and renewing of the War and Hostility against the said Parliament and People; and that by the said cruel and unnatural War, so levied, continued and renewed, much innocent Blood of the free People of this Nation hath been spilt, many Families undone, the Publick Treasure wasted, Trade obstructed and miserably decayed, vast Expence and Damage to the Nation incurred, and many Parts of the Land spoiled, some of them even to Desolation; and that he still continues his Commission to his said Son, and other Rebels and Revolters, both* English *and Foreigners, and to the Earl of* Ormond, *and to the* Irish *Rebels and Revolters associated with him, from whom further Invasions upon this Land are threatned by his procurement, and on his Behalf; and that all the said wicked Designs, Wars, and evil Practices of him the said* CHARLES STUART, *were still carried on for the Advancement and Upholding of the Personal Interest of Will, Power and pretended Prerogative to himself and his Family, against the Publick Interest, Common Right, Liberty, Justice and Peace of the People of this Nation; and that he thereby hath been and is the Occasioner, Author, and Continuer of the said unnatural, cruel, and bloody Wars, and therein guilty of all the Treasons, Murthers, Rapines, Burnings, Spoils, Desolations, Damage and Mischief to this Nation, acted and committed in the said Wars, or occasioned thereby: Whereupon the Proceedings and Judgment of this Court were prayed against him, as a Tyrant, Traitor, Murderer and publick Enemy to the Commonwealth, as by the said Charge more fully appeareth: To which Charge, being read unto him, as aforesaid, He the said* CHARLES STUART

was required to give his Answer; but he refused so to do and upon Monday, *the Twenty-second Day of* January *instant, being again brought before this Court, and there required to answer directly to the said Charge, he still refused so to do; whereupon his Default and Contumacy was Entred: And the next Day, being the third time brought before the Court, Judgment was then prayed against him, on the Behalf of the People of* England, *for his Contumacy, and for the Matters contained against him in the said Charge, as taking the same for confest, in regard of his refusing to answer thereto: Yet notwithstanding, this Court (not willing to take Advantage of his Contempt) did once more require him to answer to the said Charge, but he again refused so to do; upon which his several Defaults, this Court might justly have proceeded to Judgment against him, both for his Contumacy, and the Matters of the Charge, taking the same for confest, as aforesaid.*

Yet nevertheless, this Court, for their own clearer Information, and further Satisfaction, have thought fit to examine Witnesses upon Oath, and take notice of other Evidence touching the Matters contained in the said Charge, which accordingly they have done.

Now therefore upon serious and mature Deliberation of the Premises, and Consideration had of the Notoriety of the Matters of Fact charged upon him, as aforesaid, this Court is in Judgment and Conscience satisfied, that he, the said CHARLES STUART, *is guilty of Levying War against the said Parliament, and People, and maintaining and continuing the same; for which, in the said Charge, he stands accused, and by the general Course of his Government, Councils, and Practices before and since this Parliament began (which have been, and are, notorious and publick, and the Effects whereof remain abundantly upon Record) this Court is fully satisfied in their Judgments and Consciences, that he hath been and is guilty of the wicked Designs and Endeavours in the said Charge set forth, and that the said War hath been levied, maintained and continued by him, as aforesaid, in prosecution and for accomplishment of the said Designs; and that he hath been and is the Occasioner, Author, and Continuer, of the said unnatural, cruel and bloody Wars, and therein guilty of High Treason, and of the Murthers, Rapines, Burnings, Spoils, Desolations, Damage and Mischief to this Nation,*

acted and committed in the said War, and occasioned thereby. For all which Treasons and Crimes, this Court doth adjudge, That he the said CHARLES STUART, *as a Tyrant, Traitor, Murderer, and Publick Enemy to the good People of this Nation, shall be put to Death, by the severing of his Head from his Body.*

Which being read, *Bradshaw* added,

The Sentence now read and published, is the Act, Sentence, Judgment and Resolution of the whole Court.

To which they all expressed their Assent, by standing up, as was before agreed and ordered.

His Majesty then said,

Will you hear me a word, Sir?

Bradshaw. Sir, You are not to be heard after the Sentence.

King, *No, Sir?*

Bradshaw. No, Sir, by your Favour, Sir.

Guard, Withdraw your Prisoner.

King. *I may speak after Sentence, by your Favour, Sir, I may speak after Sentence, ever.*

By your Favour hold: The Sentence, Sir,--I say, Sir, I do--

I am not suffered to speak; expect what Justice other People will have.

His Majesty being taken away by the Guard, as he passed down the Stairs, the insolent Soldiers Scoffed at him, casting the Smoke of their Tobacco (a thing very distasteful unto him) in his Face, and throwing their Pipes in his Way; and one, more Insolent than the rest, spitting in his Face, His Majesty, according to his wonted Heroick Patience, took no more notice of so strange and barbarous an Indignity than to wipe it off with his Handkerchief.

As he passed along, hearing the Rabble of Soldiers crying out, *Justice, Justice*; he said,

Poor Souls! for a piece of Money they would do so for their Commanders.

Being brought first to Sir *Robert Cotton*'s, and thence to *Whitehal*, the Soldiers continued their brutish Carriage toward him, abusing all that seemed to shew any Respect, or even Pity to him; not suffering him to rest in his Chamber, but thrusting in, and smoking their Tobacco, and disturbing his Privacy,

But thro' all these Trials (unusual to Princes) he passed with such a calm and even Temper, that he let fall nothing unbeseeming his former Majesty and Magnanimity. In

In the Evening, a Member of the Army acquainted the Committee with His Majesty's Desire, *That seeing they had passed a Sentence of Death upon him, and his Time might be nigh; he might see his Children; and Doctor* Juxon *Bishop of* London, *might be admitted to assist him in his private Devotions, and receiving the Sacrament.* Both which, at length, were granted.

And the next Day, being *Sunday*, He was attended by the Guard to S. *James*'s; where the Bishop Preached before Him upon these Words, *In the Day when GOD shall judge the Secrets of all Men by JESUS CHRIST according to my Gospel.*

At the High Court of Justice *for the Trying and Judging of* CHARLES STUART, *King of* England, Jan. 29. 1648.

WHereas *CHARLES STUART*, King of *England*, is and standeth Convicted, Attainted and Condemned of *High Treason*, and other *High Crimes*, and Sentence upon *Saturday* last was pronounced against him by this Court, to be put to Death, by the severing of his Head from his Body, of which Sentence Execution yet remaineth to be done; These are therefore to Will and Require you to see the said Sentence Executed in the open Street before *Whitehall*, upon the Morrow being the Thirtieth Day of this Instant Month of *January*, between the Hours of Ten in the Morning, and Five in the Afternoon of the same Day, with full Effect. And for so doing, this shall be your sufficient Warrant. And these are to require all Officers, Soldiers and others, the Good People of this Nation of *England*, to be assisting unto you in this Service.

Given under our Hands and Seals.

To Col. *Francis Hacker*, Col. *Hunks*, *and* Lieutenant-Col. *Phray*, *and to every of them.*

Sealed and Subscribed by

John Bradshaw.
Tho. Grey.
Oliver Cromwel.
Edward Whalley.
Michael Livesey.
John Okey.
John Danvers.
John Bouchier.
Henry Ireton.
Tho. Maleverer.
John Blackistone.
John Hutchinson.
William Goffe.
Tho. Pride.
Peter Temple.
Tho. Harrison.
John Huson.
Henry Smith.
Peregrine Pelham.
Simon Meyne.
Tho. Horton.
John Jones.
John Moor.
Hardress Waller.
Gilbert Millington.
George Fleetwood.
John Alured.
Robert Lilbourne.
William Say.
Anthony Stapley.
Richard Dean.
Robert Tichbourne.
Humphrey Edwards.
Daniel Blagrave.
Owen Roe.
William Purefoy.
Adrian Scroope.
James Temple.
Augustine Garland.
Edmond Ludlow.
Henry Marten.
Vincent Potter.
William Constable.
Richard Ingoldsby.
William Cawley.
John Bexkstead.
Isaac Ewers.
John Dixwell.
Valentine Wauton.
Gregory Norton.
Tho. Challoner.
Tho. Wogon.
John Venn.
Gregory Clement.
John Downs.
Tho. Waite.
Tho. Scot.
John Carew.
Miles Corbet.

His

His Majesty's Speech upon the Scaffold, *&c.*

I shall be very little heard of any Body here; I shall therefore speak a word unto you here (directing himself to Col. *Tomlinson.*

Indeed I *could hold my Peace very well, if* I *did not think that holding my Peace would make some Men think that I did submit to the Guilt as well as to the Punishment. But I think it is my Duty, to GOD first, and to my Country, for to clear myself, both as an honest Man, a good King, and a good Christian.*

I shall begin first with my *Innocence.*

In troth, I think it not very needful for me to insist long upon this; for all the World knows that I never did begin a War first with the Two Houses of Parliament, *and I call GOD to witness, to whom I must shortly make an Account, that I never did intend for to encroach upon their Privileges; they began upon me; it is the Militia they began upon; they confest that the Militia was mine, but they thought it fit for to have it from me. And, to be short, if any body will look to the Dates of Commissions, of their Commissions and mine, and likewise to the Declarations, they will see clearly that they began these unhappy Troubles, not I. So that as to the Guilt of these enormous Crimes that are laid against me, I hope in GOD that GOD will clear me of it. I will not (I am in Charity) GOD forbid that I should lay it on the* Two Houses of Parliament; *there is no necessity of either: I hope they are free of this Guilt. For I do believe that ill Instruments between them and me have been the chief Cause of all this Bloodshed: So that by way of speaking, as I find myself clear of this, I hope and pray GOD that they may too. Yet for all this, GOD forbid that I should be so ill a Christian as not to say that GOD's Judgments are just upon me; many times He does pay Justice by an unjust Sentence; that is ordinary: I will only say this, That* an unjust Sentence * that I suffered to take Effect, is punished now by an unjust Sentence upon me. *That is,----- so far I have said to shew you that I am an* Innocent Man.

* *Upon the Earl of* Strafford.

now

Now for to ſhew you that I am a good Chriſtian.

I hope there is a good Man * *that will bear me witneſs, that I have forgiven all the World, and even thoſe in particular that have been the chief Cauſers of my Death: Who they are, GOD knows, I do not deſire to know, I pray GOD forgive them. But this is not all, my Charity muſt go further; I wiſh that they may repent; for indeed they have committed a great Sin in that Particular; I pray GOD with St.* Stephen, *that* this be not laid to their Charge. *Nay, not only ſo, but that they may take the right way to the Peace of the Kingdom: For my Charity commands me not only to forgive particular Men, but my Charity commands me to endeavour to the laſt Gaſp, the Peace of the Kingdom. So, Sirs, I do wiſh with all my Soul, (and I do hope there is ſome here*† *will carry it further) that they may endeavour the Peace of the Kingdom.*

Now, Sirs, I muſt ſhew you both how you are out of the way, and will put you in a way.

Firſt, *You are out of the way; For certainly all the way you ever have had yet, as I could find by any thing, is in the way of Conqueſt. Certainly this is an ill way; for Conqueſt, Sir, in my Opinion is never juſt, except there be a good juſt Cauſe, either for Matter of Wrong or juſt Title; and then if you go beyond it, the firſt Quarrel that you have to it, that makes it unjuſt at the end that was juſt at the firſt. But if it be only matter of Conqueſt, then it is a great* Robbery, *as a Pirate ſaid to* Alexander *the Great, That* he was the Great Robber, he was but a Petty Robber. *And ſo, Sir, I do think the way that you are in is much out of the way.*

Now, Sir, for to put you in the way; believe it, you will never do right, nor GOD will never proſper you, until you give GOD his Due, the King *his Due,* (*that is,* My Succeſſors) *and the* People *their Due: I am as much for* Them *as any of you.*

You muſt give GOD his Due, by regulating rightly his Church according to his Scripture, which is now out of Order. For to ſet you in a way particularly, now I cannot, but only this, a National Synod, freely Call'd, freely Debating among themſelves, *muſt ſettle this, when that every Opinion is freely and clearly heard.*

* Pointing to the Biſhop.

† Turning to ſome Gentlemen that wrote.

For

For the King, *indeed I will not* ------ (Then turning to a Gentleman that touched the Axe, he ſaid, *Hurt not the Axe, that may hurt me.*) *For the* King, *The Laws of the Land will clearly inſtruct you for that; therefore, becauſe it concerns my own Particular, I only give you a touch of it.*

For the People: *And truly I deſire their Liberty and Freedom as much as any body whomſoever; but I muſt tell you, that their Liberty and Freedom conſiſts in having of Government, thoſe Laws by which their Lives and their Goods may be moſt their own. It is not for having ſhare in Government, Sir; that is nothing pertaining to them: A Subject and a Sovereign are clear different things. And therefore until they do that, I mean, that you do put the People in that Liberty, as I ſay, certainly they will never enjoy themſelves. Sirs, it was for this that now I am come here: If I would have given way to an Arbitrary way, for to have all Laws changed according to the Power of the Sword, I needed not to have come here; and therefore I tell you (and I pray GOD it be not laid to your Charge) that I am the* MARTYR *of the People.*

In troth, Sirs, I ſhall not hold you much longer; for I will only ſay this to you, That, in truth, I could have deſired ſome little time longer, becauſe that I would have put this that I have ſaid in little more order, and a little better digeſted than I have done, *and therefore I hope you will excuſe me.*

I have delivered my Conſcience, I pray GOD that you do take thoſe Courſes that are beſt for the Good of the Kingdom, and your own Salvation.

Then the Biſhop ſaid, 'Tho' it be very well known what 'Your Majeſty's Affections are to the Proteſtant Religion, yet 'it may be expected that you ſhould ſay ſomewhat for the 'World's Satisfaction in that Particular.

Whereupon the King replied, *I thank you very heartily, my Lord, for that I had almoſt forgotten it.*

In troth, Sirs, my Conſcience in Religion, I think, is very well known to all the World; and therefore I declare before you all, That I die a Chriſtian according to the Profeſſion of the Church of *England*, as I found it left me by my Father; *and this honeſt Man* *, *I think, will witneſs it.*

* Pointing to the Biſhop.

Then

Then turning to the Officers, he said, *Sirs, Excuse me for this same,* I have a good Cause, and I have a gracious GOD, *I will say no more.*

Then to Col. *Hacker* he said, *Take care that they do not put me to Pain. And, Sir, this, and it please you* ----

But a Gentleman coming near the Axe, the King said, *Take heed of the Axe, pray take heed of the Axe.*

And to the Executioner he said, *I shall say but very short Prayers, and when I thrust out my Hands* ------

Then he called to the Bishop for his Cap, and having put it on, asked the Executioner, *Does my Hair trouble you?*

Who desired him to put it all under his Cap; which, as he was doing, by the help of the Bishop and the Executioner, he turned to the Bishop, and said, *I have a good Cause, and a gracious GOD on my side.*

The Bishop said, 'There is but one Stage more *; which, 'tho' turbulent and troublesome, yet it is a very short one; 'you may consider, it will soon carry you a very great way; 'it will carry you from Earth to Heaven; and there you 'shall find to your great Joy, the Prize you hasten to, a Crown 'of Glory.

The King adjoins, *I go from a corruptible to an incorruptible Crown, where no disturbance can be, no disturbance in the World.*

Bishop. 'You are exchanged from a Temporal to an E-'ternal Crown. A good Exchange!

Then the King asked the Executioner, *Is my Hair well?*

And taking off his *Cloak* and *George*, he delivered his *George* to the Bishop, saying, *Remember.*

Then putting off his Doublet, and being in his Waistcoat, he put on his Cloak again, and looking upon the Block, said to the Executioner, *You must set it fast.*

Executioner. It is fast, Sir.

King. *It might have been a litttle higher.*

Executioner. It can be no higher, Sir.

King. *When* I *put out my Hands this way, then*----

Then having said a few Words to himself, as he stood, with Hands and Eyes lift up, immediately stooping down, he laid his Neck upon the Block, and the Executioner again

* *These were spoken upon Occasion of private Discourse between His Majesty and the Bishop, concerning the several Stages of Man's Life, and his Course thro' them, in allusion to Posts and Stages in a Race.*

putting

putting his Hair under his Cap, His Majesty, thinking he had been going to strike, bad him, *Stay for the Sign.*

Executioner. Yes, I will, and it please Your Majesty.

After a very short Pause, His Majesty stretching forth his Hands, the Executioner severed his Head from his Body: which being held up and shewed to the People, was, with his Body, put into a Coffin covered with Velvet, and carried into his Lodging.

His Blood was taken up by divers Persons for different Ends: By some as Trophies of their Villany, by others as Reliques of a Martyr; and in some hath had the same Effect, by the Blessing of GOD, which was often found in his Sacred Touch when living.

The Malice of his Enemies ended not with his Life: For when his Body was carried to St. *James*'s to be opened, they directed their Empiricks to search for such Symptoms as might disgrace his Person or his Posterity; but herein they were prevented by an honest Intruder, who gave a true Account of his sound and excellent Temperament.

Being Imbalmed, and laid in a Coffin of Lead, to be seen for some Days by the People, at length, upon *Wednesday* the Seventh of *February*, it was delivered to four of his Servants, *Herbert*, *Mildmay*, *Preston* and *Joyner*, who, with some others in Mourning Equipage, attended the Herse that Night to *Windsor*, and placed it in the Room which was formerly the King's Bed-Chamber.

Next Day it was removed into the Dean's Hall, which was hung with Black and made Dark, and Lights were set burning round the Herse. About Three Afternoon the Duke of *Richmond*, the Marquis of *Hartford*, the Earls of *Southampton* and *Lindsey*, and the Bishop of *London*, (others that were sent to, refusing that last Service to the best of Princes) came thither with two Votes passed that Morning, whereby the ordering of the King's Burial was committed to the Duke, provided that the Expences thereof exceeded not Five-hundred Pounds. This Order they shewed to Colonel *Whichcot*, the Governour of the Castle, desiring the Interment might be in St. *George*'s Chappel, and according to the Form of the *Common-Prayer*: The latter Request the Governour denied, saying, that it was improbable the Parliament would permit the Use of what they had so solemnly abolished, and therein destroy their own Act.

The Lords replied, That there was a difference betwixt deſtroying their own Act, and diſpenſing with it, and that no Power ſo binds its own Hands, as to diſable itſelf in ſome Caſes. But all prevailed not.

The Governour had cauſed an ordinary Grave to be digged in the Body of the Church of *Windſor* for the Interment of the Corps; which the Lords diſdaining, found Means, by the Direction of an honeſt Man, one of the old Knights, to uſe an Artifice to diſcover a Vault in the middle of the Quire, by the hollow Sound they might perceive in knocking with a Staff upon that Place; that ſo it might ſeem to be their own accidental finding out, and no Perſon receive Blame for the Diſcovery, this Place they cauſed to be opened, and entring ſaw one large Coffin of Lead in the middle of the Vault, covered with a Velvet Pall, and a leſſer on one ſide, (ſuppoſed to be *Henry* VIII. and his beloved Queen *Jane Saint-Maure*) on the other ſide was room left for another, (probably intended for Queen *Katherine Parre*, who ſurvived him) where they thought fit to lay the King.

Hither the Herſe was born by the Officers of the Gariſon, the four Lords bearing up the Corners of the Velvet Pall, and the Biſhop of *London* following. And in this Manner was this Great King, upon *Friday* the Ninth of *February*, about Three Afternoon, ſilently and without any other Solemnity than of Sighs and Tears, committed to the Earth, the Velvet Pall being thrown into the Vault over the Coffin, to which was faſtned an Inſcription in Lead of theſe Words,

KING CHARLES, 1648.

SOon after theſe Things the famous *Claudius Salmaſius* at *Leyden*, writ a *Defence of the King* in *Latin*, and dedicated it to King *Charles* II. In the Preface to his Book he has this Remark, *That it was manifeſt, the Government of Biſhops was neceſſary in* England, *and that by the Confeſſion of* Preſbyterians *themſelves: For as ſoon as Epiſcopacy was deſtroy'd, a thouſand peſtilent Sects and Hereſies ſprung up, which had been ſuppreſt before.* And after he has with juſt Indignation reproach'd the pretended Parliament for their villanous Treatment of the King and Subverſion of the Government, calling them the *Forty Tyrants*, and the *Cut-throats*, and ſhewing that they had no Juriſdiction over their King; he comes to the Book itſelf, which he divides into Twelve Chapters. I. In

I. In the first Chapter he shews, that Kings have as much Authority over their Subjects, as Parents have over their Children: And as that Son would be guilty of Parricide, who should kill his Father, tho' he were very peevish and severe, and cruel to him; so that Subject would incurr the same Guilt who should murder his King, however tyrannical and grievous his Government might be. 'Tis true, Kings have been murder'd of Old; but it has been in a different Manner, and by Men of other Religions: Who ever heard of such a thing done by Men of the Reform'd Religion, and in such a publick and formal Proceedure? They did not do it in a Transport of Fury, but with much Deliberation and Solemnity. It was not so much Hatred or Fear of their King, or any Provocation he had given them, which led them to destroy him; as an Ambition to usurp his Authority and be Kings themselves. Kingly Government was, in their Opinion, become burdensome and useless; and being so, the Conclusion they made was, that it might lawfully be destroyed. So that the Piety and Innocence of the Prince was not at all consider'd by them. Their Quarrel was against his Office, *He must die, and Monarchy must die with him.* But how contrary was this to the Behaviour of the Primitive Christians; who, when they had Power to rebel, yet lived in Peaceful and Dutiful Subjection to Idolatrous Princes, who persecuted them and put them to Death for their Religion? But what shall we say of the Injury and Dishonour done to Christianity by this horrid Fact? These *English Independents*, who pretend to reform the Reformation, and call themselves the Pure, the Elect, the Saints, outdo the very Pagans in Villany. But tho' they went out from us, our Comfort is, they cannot prove themselves to be of us.

II. Having in the former Chapter spoke of the Fact, he now comes to speak of the Law; and shews, that no Law of GOD or Man can be alledged in Justification of this unparallel'd Wickedness. He divides the Question concerning this Fact into five Parts; and enquires, 1. Who Suffer'd? 2. By whom? 3. By what Authority? 4. For what Crime? 5. In what Court?

And, 1. The Person who Suffer'd, was the King: A Person above human Laws; accountable to none but GOD alone. This uncontroulable Power he shews to have been always allow'd to Kings by the Consent of all Nations, *Assyrians, Medes, Persians, Romans, Jews, Grecians, Pagans*, and *Chri-*

Christians, as appears from all Writers, Sacred and Civil. Under this Head he discourses largely of the Office and Authority of Kings; and explains several Places of the Holy Scripture concerning this Point, particularly the Eighth Chapter of the first Book of *Samuel*, which he clears from the perverse Sense which *Bradshaw* put upon it; and takes Occasion from hence to shew, That the Office of a King is Lawful, and agreeable to the Word and Will of GOD. For, says he, it is not to be imagined that the People should be so importunate for a Form of Government which would, in its own Nature, prove pernicious to them (for they saw what it was in the neighbouring Nations) or that GOD should grant such a hurtful Request. It is a Mistake to say he was angry at the People for making it. He speaks very graciously to *Samuel*, in the Ninth Chapter, that he would send him a King who should deliver his People out of the Hand of the *Philistines*. He had allow'd them a King long before, in the Seventeenth Chapter of *Deuteronomy*. It was part of his Blessing promised to *Abraham*, that Kings should come out of his Loins. The Scepter was not to depart from *Judah* till the Messiah came, who himself was pleased to be stiled, *A King*, and, *King of Kings*. And how Sacred the Persons of Kings are, may appear from this: GOD appointed *Saul* to be the first King of *Israel:* He proved notoriously Wicked and Irreligious; insomuch that *David* was, by express Revelation, anointed to be King, many Years before *Saul* was dead: On which Account *Saul* became his dangerous and implacable Enemy. Yet *David* would not be prevail'd on to destroy him, when it was twice in his Power, because he was a King, and the Lord's Anointed. What use would an *English* Fanatick have made of his Sword at such a time, who has gone thro' a Sea of Blood, even the Blood of the highest Nobility, to destroy a Prince who ruled the People with Piety and Justice?

III. The former Chapter has given an Account of the Right of Kings, from the Scriptures of the Old Testament, and thence it was proved, that not only good Princes, but even Tyrants are not accountable to the People for any thing they do, but must stand to the Judgment of GOD alone. Now he proceeds to consider, whether CHRIST in the New Testament has laid down any different Rule about this Matter. As for himself, he was born under the Monarchical Government of the *Romans*; and, during his Ministry, the reign-

ing

ng Monarch *Tiberius* was a very wicked Man. Now CHRIST ad Power enough to have alter'd this Government, yet he ſtabliſhed it both by his Doctrine and Practice. *Render*, ays he, *unto Cæſar the things that are Cæſar's.* And when he Tribute Money was demanded of him, he quietly paid it, tho' he wrought a Miracle to raiſe it. Agreeable to this, s the Doctrine of the Apoſtles: *Let every Soul be ſubject to he higher Powers; for there is no Power but of GOD; the Powers that he are ordained of GOD.* And, *Ye muſt needs be ſubject, not only for Wrath, but alſo for Conſcience ſake.* And St. *Peter* ſets the Reverence due to Kings next to the Fear of GOD: *Fear GOD, honour the King.* And, *For this Cauſe*, ſays St. *Paul*, *pay ye Tribute alſo; for they are GOD's Miniſters.* But, if we may believe the new Goſpellers and Apoſtles, of the Depoſing Doctrine, the King is the Miniſter and Servant of the People. This was aſſerted by *Bradſhaw* at the King's Trial.

In this Chapter *Salmaſius* proves at large, That Wicked, Idolatrous, and Heretical Princes muſt be endured; and that heir Power is from GOD, as it was owned by *Irenæus*, *Juſtin Martyr*, *Athenagoras*, *Tertullian*, and the reſt of the Anient Fathers. And, leſt the Fanaticks, who are no Friends o the Fathers, ſhould ſay that they only flatter'd the Emerors of their Times, but were not ſincere in their Loyaly to them, he anſwers this Objection out of *Tertullian*'s pology: *You*, ſays *Tertullian*, *who think we are not ſerius in our Prayers for the Emperor's Welfare, look into ur Bibles, which we do not hide, and there you will ſee at we are commanded to pray with more than ordinary ffection for our very Enemies and Perſecutors. And ho are greater Enemies and Perſecutors of the Chriſtis, than the Kings, before whoſe Tribunals we are conved? yet this is expreſly and plainly given us in charge, to ray for* Kings, and Princes, and Powers, that they may have eace and Quietneſs.

IV. In this fourth Chapter he conſiders, whether the Doine of Paſſive Obedience to ill Princes has been univerſally actiſed by the Church under the Old and New Teſtament. e begins with the *Jews*, and reckons from the Days of *Saul Herod.* The Behaviour of *David* to *Saul*, which was nted at in the ſecond Chapter, is here more fully inſiſted on. he Revolt of the Ten Tribes from *Rehoboam* is urged as an bjection againſt Paſſive Obedience, and determined to be

ſinful. Then he takes notice that there were a great many Impious and Idolatrous Kings of *Iſrael*; and that they were ſharply reproved by the Prophets, and threatned with the Judgments of GOD. And tho' theſe Prophets were Perſecuted and Deſtroyed by them, yet they never ſtirred up the People to rebel againſt them, nor ſubborned any Traitor to attempt their Lives. After their Return from the Babylonian Captivity, when the Prophetick Spirit was departed from them, they often endured very ill Men for their Governors, as *Ariſtobulus* and *Jannæus*, without rebelling againſt them. And when they were under the Roman Yoke, tho' ſome particular Men raiſed Seditions and Commotions, yet the Publick Miniſters of Religion Sacrificed twice a Day for the Emperor and People of *Rome*.

Concerning the Primitive Chriſtians Obedience to Princes, what he had laid down in the former Chapter, he now enlarges upon, and proves from their publick Liturgies, their Apologies, and other Writings, that they prayed for Infidel Cruel, Perſecuting Emperors (not like our impure Puritans, *that GOD would either turn their Hearts, or take them out of the World*, but) that they might be bleſt with long Life, proſperous Government, valiant Armies, faithful Counſellors, loyal People, and a quiet World. What greater Bleſſings could they wiſh to the moſt pious Chriſtian Prince? *Tertullian* glories, that in all the Plots againſt the Emperors from *Marcus Antoninus*, down to *Severus*, the Chriſtians (who were then very numerous, and in great Offices at Court) were never concern'd. It is the Principle of our Fanatick, that the People have a right to remove their King, and free themſelves from his Government, whenever they ſhall ſee cauſe, and have Power enough to do it. And therefore they think that the Primitive Chriſtians wanted not a Will, but Power to rebel againſt the Emperors. But *Tertullian* in his Apology ſhews that it was otherwiſe: For he ſays, *The Chriſtians had filled all Places, Cities, Caſtles, Councils, Camps*, &c. *and were ſtrong enough for any War.* Nay, he ſays, they could have ruined their Perſecutors, *without fighting, but only removing from among them:* Which ſhews they were very numerous indeed.

After this follow ſeveral notable Paſſages for Paſſive Obedience, out of *Gregory Nazianzen*, St. *Ambroſe*, and St. *Auſtin*. And, towards the end of this Chapter, the Author obſerves that the Pope, making himſelf a God upon Earth, ar-

arrogates a Power over Kings to Judge and Punish them; and that Pope *Zachary* (who was the first that undertook to absolve Subjects from their Oath of Allegiance) has broached the very Doctrine of the Fanaticks, *viz. That Kings are accountable to their People, for whose Good they reign. For whatever Power, Glory, Riches, or Dignity they have, they derive all from the People, to whom they are Debtors for the same: The People made them what they are; and they may unmake them again.* This is the Doctrine of Pope *Zachary*.

V. Having shown that the Romish Doctrine which makes Kings the Pope's Dependents, and the Fanatick Doctrine which asserts them to be at the Disposal of their People, are both contrary to reveal'd Religion; he now proceeds to prove that they are contrary to the Law of Nature and Nations. And tho' there be other Forms of Government in the World, yet he affirms that Monarchy is more ancient and universal than all the rest. For certain it is, saith he, that not the Thousandth, nay, scarce the Hundred-thousandth part of Men are Govern'd otherwise than by Monarchs. Here he touches again upon the Eighth Chapter of the First Book of *Samuel*, concerning Regal Government. And quotes several of the most ancient *Greek* Poets, Philosophers and Historians, to shew how generally Kings were esteem'd Sacred and Divine Persons, above the Stroke of human Laws and Punishments.

The more Religious and Goodnatur'd any People have been, the more Reverence they have had for their Kings and Magistrates: But the fierce and savage Nations have been the greatest Offenders against them. In the List of the Kings of *Scotland* there are reckon'd Fifty who have been either imprisoned, or banished, or murdered by their own People, and some in a publick Manner. In *England*, since the Reign of *William the Conqueror*, three Kings have been murder'd in Prison, *Edward* II. *Richard* II. and *Henry* VI. The *Romans* expell'd their King, and chang'd their Government to a Commonwealth; but the Change cost them a world of Blood and Treasure. After this he proceeds to speak of some peculiar Laws given to the Kings of *Israel*, which they broke, without any Punishment from Men. And towards the Conclusion he observes, That tho' the *Pharisees* of old were a proud, seditious, and factious Sect of Men, yet, in comparison of our Jesuits and Independents, were very modest, tractable, and good Friends to Princes.

VI. Having abundantly proved by all sorts of Testimonies and Authorities, of all Ages, Nations, and Religions, that the Majesty of Kings is inviolable, and subject to none but GOD only: He now undertakes to demonstrate the same from the Nature and Reason of the Thing, *viz.* That Kingly Government, in the nature of it, requires to be independent and *sui juris*, otherwise there can be no such thing. For in the King resides the Supreme Power of the Nation; which cannot be, if he be subject to any Power; because that Power to which he is subject, is above him, and consequently he is not Supreme. And then it cannot be said, That Kings Reign by GOD, but by that other Power to which they are subject, as the People, or Grandees, or whatever Power controuls them. After this he shews the absurd Form of Fanatick Government; and the Mischiefs of electing Princes; as the latter Emperors among the *Romans*, &c. But suppose the King be elected by the People, yet when he is once invested with Royal Dignity and Authority, he has Power over them, and not they over him. As the Emperor *Valentinian* answered his Soldiers, when they requested a thing of him which he would not grant: *It was once in your Power whether I should be your Emperor or not: But since you have elected me, it is in my Power to deny what you reqeust. My part is to consider what I would have done; and yours to be subject and obedient to my Commands.* If the People might, as often as they pleased, divest their Prince of his Power, there never would be any settled Peace in a Nation, but continual changing and undoing of things; which would occasion endless Troubles and Calamities: Insomuch that it has been found better to keep an ill Prince on his Throne, than to remove him and put a better in his room. After this he discourses largely about the Power of Prince and People.

Further he affirms it to be a Mistake, that a Nation subdued by Arms, may shake off the Conquerors Yoke, and recover their Liberty whenever they are able: All Laws, Divine and Human forbid this. Whatever is got by Conquest becomes the Property of the Conqueror. It was never allowed to Servants, who were taken in War, or bought with Money, to run away from, or rebel against their Masters. The Apostle commands such Servants to be subject to their Masters with all Fear, not only when they were gentle and good, but when they were harsh and froward. By the same reason ought a conquer'd People to be Subject and Loyal to

their Prince, tho' he be an Infidel or Heretick, or, in other Reſpects an ill Man. But while he ſhews how far Conqueſt and Poſſeſſion give a good Title, he denies that this makes any thing for the Rebels againſt King *Charles* I.

VII. In this Chapter he inſiſts upon the great Point whereon the whole Streſs of his Defence lies, That Kings are not Subject to any Tribunal upon Earth, to be puniſhed with Death or otherwiſe, for any thing that they ſhall do. Common Senſe teaches us, that a Superior cannot be Judged by his Inferior: But a King has neither Superior nor Equal in his Kingdom: Therefore he cannot be judged; the Conſequence is plain. The Judges in *Iſrael*, before the Time of *Saul*, were in other reſpects Kings, for they were but one at a time, and he Govern'd for Term of Life; but then he was liable to be Tried by the great Council; and that made the Difference; and ſo it is at *Venice* and in other States.

Tho', in Elective Kingdoms, the Kings have the ſame ſupreme and uncontroulable Authority, as in thoſe that are Hereditary, yet in other Reſpects, the latter has greater Advantages than the former, which he here ſets forth.

In caſe a King, at his Election, or Inauguration, ſhall ſwear to Govern his Subjects according to the Laws of the Land, and that if he fails to do ſo, they ſhall be abſolved from their Oath of Allegiance, and he will abdicate his Government; I ſay, in this Caſe he is only liable to the Judgment of GOD, his Subjects cannot lawfully riſe againſt him, and depoſe him for breaking his Coronation-Oath. And he ſhews that a King, in many Reſpects, may be a very immoral Man, and yet a very good Governor. And proves very fully that he can in no Senſe be guilty of Treaſon. And affirms that no juſt Judge would have baniſhed a private Man for thoſe things which our King's rebellious Subjects put him to Death.

The Civil Law admits not Servants to accuſe their Maſters, nor Freed-Men their Patrons, nor Children their Parents, nor Vaſſals their Lords, much leſs Subjects their King, who has a right to their Love and Obedience on all theſe Accounts. Here you may find an Account of the People and their Power, and diſorders in popular Elections: With the riſe and decay of Kingdoms, Principalities, and Families: And the ſmall Account that is made of the Populace in moſt Countries.

VIII. Having pleaded the Cauſe of Kings in general, he now comes to a particular Defence of our King CHARLES I. The Rebels pretended that the King was only Preſident of the Parliament, and chief Magiſtrate. He undertakes therefore to diſcourſe of our King's Power; and having obſerved that there are ſome Kings in Name only, and not in Power, as the Judges in *Iſrael*, who are ſometimes called Kings, the *Carthaginian* and *Lacedemonian* Kings who were unaccountable to others; he conſiders what *Ariſtotle* ſays of Monarchy. That Philoſopher makes four ſorts of Monarchy, diſtinct from Tyrannical Government. The firſt is that which obtained in the Heroick Age, when the King treated his Subjects as Brethren, and was many times their Prieſt as well as their King. The ſecond is Deſpotick, where the Prince's Will is the Law, but the People willingly ſubmit to it, as being Hereditary and continued among them by many Succeſſions. The third is, when the Prince is elected without any Conditions or Reſtraints laid upon him, ſo that he is abſolute when once Elected. The fourth is the *Lacedemonian* Form, which we have mentioned before. In the three firſt the Monarch was really ſuch, and had full Power over all; and ſo it was anciently in the *Laconick* Form, till *Lycurgus* alter'd it, and after him *Theopompus* ſubjected it to the *Ephori*. As for the *Britiſh* Crown, no body can deny that it is Hereditary; and whatever Interruptions have been in the Royal Line, yet the Iſland was always govern'd by Kings. This is eaſily proved from the firſt Account of it by *Julius Cæſar*, down to this Time. Then for the Right and Power by which the King reigns, 'tis plainly intimated to be Divine, by thoſe Words in his Stile, *Charles by the Grace of GOD King*, &c. And in all publick Inſtruments where the King is mentioned, he is call'd, *Our Sovereign Lord the King*; and the Parliament's Subjection to him is intimated by being call'd, *The Parliament of our Sovereign Lord*, &c. and *His Great Council*. And when there is no Parliament, the King Governs without it. He calls them, and he diſſolves them.

There is no mention of a Parliament under the Kings that were before *William the Conqueror*, as *William Prynn* obſerves in his Hiſtorical Collection of the *Ancient Parliaments of* England, but there was a great Council of Princes, Biſhops, Dukes, Earls, and Barons, which is now called, *The Houſe of Peers*, without any *Houſe of Commons*.

The

The Fanaticks distinguish between the Personal and the Political Capacity of the King; and conclude thence, that when the Apostle commands *not to resist the Powers*, he means not the Person of the King, but the King in a Politick Respect: For they say the Person of the King may be destroy'd as well as any of the meanest of his People; but his Body Politick cannot be hurt. *See this confuted, p.* 177, &c.

IX. In this Chapter he proves from the Nature and Design of Parliamentary Votes and Debates, that the Supreme Power is in the King.

The Subjects of *Great-Britain* claim a threefold Privilege, *i. e.* Not to have new Tyxes laid upon them, not to have new Laws given them, not to have the old ones repeal'd, without Acts of Parliament. But nothing can be done without the King's Assent. There never was any King in the *East* where the Royal Authority was most absolute, nor is there any at this Day in *Europe* more Sovereign in his Parliament than the King of *England* is. But the Rebels labour all they can to infringe this Power. They say the Parliament of *England* is the supreme Tribunal of the Kingdom: And that when the King's Person is out of Parliament, his Power and Authority is supposed to be there. Therefore whatever is done in that Assembly in the Absence of the King, is to be reputed as done by his Authority. But then this Authority is delegated and in Trust. So that whether his Presence be virtual or real, the Parliament can do nothing without him. For if there be no King, his Presence can in no Sense ratify what is done there. But his personal and real Presence is necessary the first and last Days of Parliament; and if he be hindred by Sickness or otherwise, then he Commissions some Great Officers under the Broad-Seal to represent him. So that without King or Queen there can be no Parliament: 'Tis like a Body without a Head.

Aristotle says, a King ought to be a good General, a Priest, and a Judge: All these Offices were exercised by the ancient *Grecian* Kings. The *Roman* and *Egyptian* Kings were invested with the Priesthood. Among the *Jews* it was thus after the Captivity; and before it the Kings deposed Priests as they saw fit, and sometimes put them to Death. The Kings of *England* have always had Ecclesiastical Jurisdiction, both before and since the Reformation; and part of their Style is, *Defenders of the Faith.*

And tho' the Proceedings in Eccleſiaſtical Courts are in the Biſhops Names, yet the Courts are called the King's Courts, and the Laws, the King's Laws. In *Edward* the VIth's Time it is declared by Act of Parliament, That all Authority and Juriſdiction, Spiritual and Temporal, is derived from the King. *Salmaſius* tells us, *p.* 204. That the King conſulted the Learned in the Law, whether he might legally demand Ship-Money without an Act of Parliament? They anſwered, He might.

X. In this Chapter he enquires how it came to paſs, that an innocent, pious and good King, who was ſo tender of his People, came to be Condemned and put to Death, when ſcarce the Hundred-thouſandth part of his People were conſenting to it. There was but One of his Three Kingdoms immediately concern'd in his Death: And, in the Parliament, conſiſting of Clergy, Nobility, and Commons, there was not one Clergyman to Vote; for they had been ejected at the very beginning of this Quarrel. And the Nobility had very little more Power, they were Baniſhed, and Beheaded, and brought to nothing. And of the Commons there was a very inconſiderable Number ſelected and pickt out by the Rebels Army, to accompliſh this wicked Work.

The Independents were indeed the finiſhers of this horrid Villany; but the Preſbyterians had the Glory (if there be any Glory in ſuch execrable Facts) of beginning it and carrying it on. And they had made ſuch Progreſs in it as did not leave it hard for the others to compleat it. *See more*, *p.* 216, 217. He compares the Preſbyterians to Highway-Men, who diſarm a Traveller and tye him to a Tree; and the Independents to wild Beaſts who come out and devour him.

The Subſtance of the Independents Doctrine is this, That the Kingdom of CHRIST cannot conſiſt with the Kingdom of Men; that all Kings, tho' Chriſtians, are to be reputed as the Enemies of CHRIST; that no King can be ſo good and Juſt, but he muſt be Unrighteous and Impious in compariſon of the Saints who compoſe the Kingdom of CHRIST, and ſtudy to advance it: That they are the only true Saints who ought not to be ſubject to any Earthly King, becauſe the Sanctity of the Faithful, and the Majeſty of Kings, are incompatible; for ſo long as Earthly Kings Reign upon Earth, the Kingdom of CHRIST is hindered and delayed: And till they are removed out of the way, the Church cannot be free.

free. King *James*, in his *Basilicon Doron*, paints these Men in their true Colours, and warns his Son to take heed of them: Which Advice if he had followed, it had been better for himself and his Kingdoms.

Formerly Kings were said to be Independent, as being accountable to none but GOD; but now these Fanaticks are more properly stiled so, because they set themselves above Kings, and own no Superior in Church or State. In the same Page (which is 224) *Salmasius* declaims severely against Toleration of Heresy and Error, and denies them to be Orthodox who indulge it. And he observes that he that denies the Trinity is kindly treated by these Fanaticks; but he that opposes any Article of their Discipline is not endured. *See a further Account of them both in* England *and in other Places*, pag. 226.

XI. Having spoke at large of the King's Sufferings, and the Persons that were his Executioners, he comes now to enquire by what Authority they acted. And he answers, By the same as a Highwayman, or a Ravisher, or any other enormous Malefactor acts. Then he proceeds to speak of the High Court of Justice, and shews the Illegality of it; and how like Highwaymen they answered, when they told him, They were satisfied with their own Authority, and would have him so too. Next he descends to treat of the different Courts, and Ways of Trial in several Nations, especially in *England*; and concludes, that no Court could convene and Try the King.

XII. In this last Chapter he examines what the King's Crimes and Demerits were, that he was thus treated. Here he proposes to sift his Actions both publick and private, as he was a Man, and as he was a King. First he shews in general, That a Man of great personal Faults and Vices, may be a good Governor. But for King *CHARLES*, his very Enemies and Murderers could say no less of him, but that he was a good, pious, chaste, and religious Prince. Next for his Actions, as he was a King; his Judges indeed condemned him for a Tyrant, Traitor, and Murderer; but they did not repute him so when they took the Covenant; for in the third Article of it, they promise to defend the King's Person and Majesty. Their Pretence then was only the Reformation of Religion. But they hated Kingly Government, and with them all Kings were

were Tyrants. One of the heavieſt Articles againſt the King was, That when he ſpoke of thoſe who afterwards Condemned him and put him to Death, he did not call them *Saints*, but *Browniſts*, *Sectaries*, and *Independents*.

At Page 287. he compares the Rebellion in *England*, with the *Hollanders* caſting off the Yoke of the *Spaniſh* Government, and proves them to be two very different Caſes.

To this Defence an Anſwer was publiſhed by *John Milton*, (which he ſtiles, *An Apology for the People of* England) in as many Chapters: Written with a great deal of Satyr and Bitterneſs both againſt the King and *Salmaſius*. In the firſt Chapter it deſerves to be noted, That whereas *Salmaſius* had ſaid, *The Miniſters were moſt unjuſtly perſecuted for declaring their Abhorrence of the King's Murder*; *Milton* characterizes thoſe Miniſters thus, *viz.* That they were ſuch as had conſtantly taught, both in Preaching and Writing, That it was Peoples Duty to take Arms againſt the King; and curſed all, like *Meroz*, who did not bring Arms, Money, or Forces, to Fight againſt him, whom they repreſented in their Sermons to be a moſt wicked Tyrant, worſe than *Saul* or *Ahab*, or even *Nero* himſelf. (Theſe Miniſters rail'd at Pluraliſts and Non-reſidents under the Epiſcopal Government, till they had got them turned out; and then they got their rich Livings to themſelves, two or three to a Man, and neglected their Flocks in a groſs notorious Manner, without any Fear of GOD or Shame of Men.) In the ſecond Chapter he heaps up all the Authorities he can from *Tully*, *Joſephus*, and others, againſt Monarchy, and in favour of a Republick. In the third he endeavours to make the New Teſtament ſpeak the ſame thing. In the fourth, he pleads for the People's Right to Curb, Reſiſt, and Depoſe Wicked Princes. In the fifth, he juſtifies this from the Law of Nature. In the ſixth, he makes the Prince dependent on the People, and conſequently inferior to them. In the ſeventh, he aſſerts that he may be judged. In the eighth, he proſecutes the ſame Argument, and applies it to the Caſe of the King of *England*. In the ninth, he magnifies the Parliament's Power above the King's. In the tenth, he ſpeaks of the Numbers that oppos'd the King. In the eleventh, by what Authority they proceeded againſt him. In the twelfth, of the Crimes charged upon him.

Aſcham's

Ashcam's Book (which my Lord *Clarendon* here refers to, *Vol.* III. *p.* 369.) was printed in the Year 1648. with this Title;

"*A Discourse wherein is examined what is particularly lawful during the Confusions and Revolutions of Government: or, How far a Man may lawfully conform to the Powers and Commands of those who with various Successes hold Kingdoms divided by Civil or Foreign Wars: Whether it be,* 1. *In paying Taxes.* 2. *In personal Service.* 3. *In taking Oaths,* 4. *In a Man's giving himself up to a final Allegiance, in case the War end to the Advantage of the unjust Power or Party. Likewise whether the Noture of War be inconsistent with the nature of the Christian Religion. By* Ant. Ashcam, (so his Name stands there) *Gentleman.*

When he comes to discourse of what may lawfully be done, during the Confusions and Revolutions of Government, he says, *No Man is of such a captivated Allegiance, as, by reason of it, to engage himself to a Party, believing upon the Engagement, that he shall be certainly destroyed in it.* We read of those who a long time adored and kiss'd a Goddess fastned to an Oak in a Grove: But when that Tree was ready to fall, no one would come within the Shadow of her Statue.

Speaking of Property and Right, he asserts, That what is necessary for one Man's natural Subsistence, and unnecessary for another, belongs justly to the first, unless he has merited to lose the Life which he seeks to preserve. All Admiralties judge this equal, that if Provisions begin to fail in a Ship at Sea, every one may be forced to bring out openly, what he laid in for his Passage in particular, that so all may be spent in common: By which Distribution it may happen, that they who laid in ten times more than any one else, shall have but an equal Share with the rest.

Tho' States punish those who out of meer Necessity take something out of another's Plenty; yet that proves not the Act to be a Sin, or repugnant to Equity or Conscience, but rather repugnant to Convenience of State, lest thereby a Gap might be laid open to Libertinism. Having consider'd the Right which every Man hath to preserve himself, he proceeds to speak of the Parties, whether Just or Unjust, who by the variety of Success in War, may, one after another, command us and our Estates; what is lawful for us to do in such a Case?

To

To assure our Consciences of a justifiable Obedience during the Confusions or Revolutions of War, it is best (says he) and enough for us to consider, *Whether the invading Party (just or unjust) have us, or the Means of our Subsistence in their Possession or no.* In such a case he determines, that we may, with a good Conscience, pay Taxes to Usurpers, even against the Command of the Lawful Magistrate; and serve them with our Persons, when they don't require us to act against the Lawful Magistrate.

Concerning the Oath of Allegiance, he determines, That the Subject is absolved from it, 1. If his Prince abandon his Kingdom: For then, upon his own Act, he hath and will have no Right to it. 2. If he give away or subject his Kingdom to another Crown: For not the Alienation, but Government of the Kingdom is the Ground of the Oath. 3. If a Prince, thro' mad Fury or Folly, seek in a hostile way, the Destruction of his whole Kingdom, then the Subject owes him nothing by Oath: For the Will of Governing and Destroying a Kingdom is inconsistent with itself. 4. If the Prince have one part of the Supreme Right, and the People the other part, then, notwithstanding an Oath of Allegiance to him, he may be opposed, if he invade the other part of Supreme Right.

Quest. Whether, upon the Issue of a War, and the Expulsion of a just Party, a Man may lawfully give himself up to the final Allegiance of the unjust Party?

Answ. We are bound to own Princes so long as it pleases GOD to give them the Power to command us; and when we see others possest of their Powers, we may then say, that the King of Kings hath changed our Vice-Roys.

Upon Frontiers, all Men are most strictly obliged to the Destruction one of another, according to their several Allegiances. Yet it happens daily, that by Sieges, and other Extremities, Towns are reduced to the Jurisdiction of those to whom they were sworn not to submit, but to destroy. This is not all; for upon their Surrender, they must swear to destroy those, whom, the Day before, they were sworn to preserve. In such Cases the Prince, to whom they were first obliged releases them of all imaginable Duty to him. For he cannot expect that which is impossible for them to do, *viz.* Acts of former Allegiance to him. If afterwards he takes any of them, he looks upon them, not as Traitors or Revolters, but such as, by the Law and Necessity of War, are of the

the ſame Condition with the reſt of his Enemies Subjects. The Reaſons which juſtify ſuch particular Places, juſtify a more univerſal, ſuch as are whole Kingdoms, which are made out of ſuch particular places, and are ſubject to the ſame Fate and Neceſſity of War, to the ſame Confuſions and Revolutions of Governments, and ſo to the ſame oppoſite Allegiances.

The Manner of the Coronation of King Charles II. *at* Scoone *in* Scotland, Jan. 1. 1649.

FIrſt the King's Majeſty, in a Prince's Robe, was conducted from his Bed-chamber, by the Conſtable on his Right Hand, and the Marſhal on his Left, to the Chamber of Preſence; and there was placed in a Chair, under a Cloth of State, by the Lord of *Angus* Chamberlain, appointed by the King for that Day; and there, after a little Repoſe, the Noblemen, with the Commiſſioners of Barons and Burroughs, entred the Hall, and preſented themſelves before His Majeſty. *Page* 397.

Thereafter the Lord Chancellor ſpoke to the King, to this purpoſe: *Sir, your good Subjects deſire you may be Crowned, as the Righteous and Lawful Heir of the Crown of this Kingdom; that you would maintain Religion as it is preſently profeſſed and eſtabliſhed: Alſo, that you would be graciouſly pleaſed to receive them under your Highneſs's Protection, to govern them by the Laws of the Kingdom, and to defend them in their Rights and Liberties, by your Royal Power; offering themſelves, in moſt humble Manner, to Your Majeſty, with their Vows to beſtow Land, Life, and what elſe is in their Power, for the maintenance of Religion, for the ſafety of Your Majeſty's Sacred Perſon, and maintenance of your Crown; which they intreat Your Majeſty to accept; and pray Almighty GOD, that for many Years you may happily enjoy the ſame.*

The King made this Anſwer: *I do eſteem the Affections of my good People more than the Crowns of many Kingdoms, and ſhall be ready, by GOD's Aſſiſtance, to beſtow my Life in their Defence; wiſhing to live no longer than I may ſee Religion and this Kingdom flouriſh in all Happineſs.*

There-

Thereafter the Commiſſioners of Burroughs and Barons, and the Noblemen accompanied his Majeſty to the Kirk of *Scoone*, in Order and Rank according to their Quality, two and two. The Spurrs being carried by the Earl of *Eglington*; next the Sword, by the Earl of *Rothes*; then the Scepter, by the Earl of *Crawford* and *Lindſey*; and the Crown, by the Marquis of *Argyle*, immediately before the King. Then came the King, with the Great Conſtable on the Right Hand, and the Great Marſhal on his Left, his Train being carried by the Lord *Ereſkine*, the Lord *Montgomery*, the Lord *Newbottle*, and the Lord *Macklelene*, four Earls Eldeſt Sons, under a Canopy of Crimſon-Velvet, ſupported by Six Earls Sons, to wit, the Lord *Drummond*, the Lord *Carnegie*, the Lord *Ramſey*, the Lord *Johnſton*, the Lord *Brechin*, the Lord *Teſter*; and the Six Carriers ſupported by Six Noblemens Sons. Thus the King's Majeſty entered the Kirk.

The Kirk being fitted and prepared with a Table, whereupon the Honours were laid, and a Chair ſet in a fitting place for His Majeſty to hear a Sermon, overagainſt the Miniſter, and another Chair on the other ſide, where he received the Crown, before which there was a Bench decently covered, as alſo for Seats about for Noblemen, Barons and Burgeſſes; and there being alſo a Stage in a fit place erected of 24 Foot ſquare, about 4 Foot high from the Ground, covered with Carpets, with two Stairs, one from the *Weſt*, another to the *Eaſt*, upon which great Stage there was another little Stage erected, ſome two Foot high, aſcending by two Steps; on which the Throne or Chair of State was ſet.

The Kirk thus fittingly prepared, the King's Majeſty entred the ſame, accompanied as aforeſaid; and firſt ſet himſelf in his Chair for hearing of Sermon, which was preached by Mr. *Robert Douglas*, who earneſtly preſſed his Majeſty to hold firm to the Covenant.

The

The Trial of Mr. Gerard *and Mr.* Vowel.

AFter twice or thrice convening of these Gentlemen, an Accusation was brought of their Intention to assassinate the Protector, with one Major *Henshaw* and others that were fled. To the Proof whereof they produced young Mr. *Charles Gerard* against his Brother, as also one *Wiseman*, and one Mr. *Hudson* a blind Minister (whose Brother was that eminent Person who accompanied and guarded the late King in his Flight from *Oxford*) that had been cherished by Mr. *Vowel* against him; who yet retracted at his Examination, and could not be brought, by the Threats of the Court, to make it good; and yet they made it valid. *Somerset Fox* (one of the Accomplices) pleaded Guilty, and craved Mercy, as he had been instructed to do, upon Promise of Pardon, and thereby involved the other two innocent Gentlemen in the Guilt. It availed them nothing to deny this Charge, though with never so much Reason and Strength of Argument: *Lisle* the President summed up the prejudiced Suffrages of the Court, and pronounced Sentence of Death upon them. *Page* 491.

Killing

Clarendon, *Vol.* III. *pag.* 499.

Killing No Murder,

Briefly Discours'd in Three Questions.

By *William Allen*; but Writ by Colonel *Titus*: (tho' Lord *Clarendon* mentions such a thing to be Writ by Major *Wildman*.)

And all the People of the Land rejoiced: and the City was quiet, after that they had slain Athaliah with the Sword. 2 Chron. 23. 21.

Now after the time that Amaziah did turn away from following of the Lord, they made a Conspiracy against him in Jerusalem, and he fled to Lachish: but they sent to Lachish after him, and slew him there, 2 Chro. 25. 27.

To His Highness

OLIVER CROMWELL.

May it please Your Highness,

HOW I have spent some Hours of the Leisure your Highness hath been pleased to give me, this following Paper will give your Highness an Account; how you will please to interpret it I cannot tell, but I can with Confidence say, my Inten-

ptention in it is, to procure your Highneſs that Juſtice no ody yet does you, and to let the People ſee the longer they efer it, the greater Injury they do both themſelves and you. o your Highneſs juſtly belongs the Honour of dying for the eople, and it cannot chuſe but be an unſpeakable Conſolatin to you, in the laſt Moments of your Life, to conſider with ow much Benefit to the World you are like to leave it. 'Tis hen only (my Lord) the Titles you now uſurp will be truly ours, you will then be indeed the Deliverer of your Counry, and free it from a Bondage little inferior to that from hich *Moſes* delivered his: You will then be that true Reormer, which you would now be thought; Religion ſhall e then reſtored, Liberty aſſerted, and Parliaments have thoſe rivileges they have fought for: We ſhall then hope, that ther Laws will have place beſides thoſe of the Sword, and hat Juſtice ſhall be otherwiſe defined than the Will and leaſure of the Strongeſt; and we ſhall then hope that Men vill keep Oaths again, and not have the Neceſſity of being alſe and Perfidious to preſerve themſelves, and be like their ulers. All this we hope from your Highneſſes happy Expiation, who is the true Father of your Country; for while ou live, we can call nothing ours, and it is from your Death hat we hope for our Inheritances. Let this Conſideration rm and fortify your Highneſs's Mind againſt the Fears of eath, and the Terrors of your evil Conſcience, that the ood you will do by your Death, will ſomewhat ballance he Evils of your Life. And if in the black Catalogue of igh Malefactors, few can be found that have lived more to e Affliction and Diſturbance of Mankind than your Highneſs ath done; yet your greateſt Enemies will not deny but there e likewiſe as few that have expired more to the univerſal Beefit of Mankind, than your Highneſs is like to do. To haen this great Good is the chief End of my writing this Paer; and if it have the Effects I hope it will, your Highneſs ill quickly be out of the Reach of Men's Malice, and your nemies will only be able to wound you in your Memory, hich Stroke you will not feel. That your Highneſs may e ſpeedily in this Security, is the univerſal Wiſhes of your rateful Country; this is the Deſires and Prayers of the Good nd of the Bad, and, it may be, is the only thing wherein ll Sects and Factions do agree in their Devotions, and is our nly common Prayer. But amongſt all that put in their equeſts and Supplications for your Highneſs's ſpeedy deli-

verance from all earthly Troubles, none is more assiduous nor more fervent than he, that with the rest of the Nation hath the Honour to be (May it please your Highness)

Your Highness's present Slave and Vassal,

W. A.

To all those Officers and Soldiers of the Army, that remember their Engagements, and dare be honest.

I Heartily wish, for England's *sake, that your Number may be far greater than I fear it is; and that his Highness's frequent Purgations may have left any amongst you, that by these Characters are concern'd in this Dedication. That I and all Men have reason to make this a Doubt, your own Actions, as well as your tame Sufferings, do but too plainly manifest. For you that were the Champions of our Liberty, and to that purpose were raised, are not you become the Instruments of our Slavery? And your Hands that the People employed to take off the Yoke from off our Necks, are not those the very Hands that now do put it on? Do you remember that you were raised to defend the Privileges of Parliament, and have sworn to do it; and will you be employed to force Elections, and dissolve Parliaments, because they will not establish the Tyrant's Iniquity, and our Slavery by a Law? I beseech you, think upon what you have promised, and what you do, and give not Posterity, as well as your own Generation, the Occasion to mention you with Infamy, and to curse that unfortunate Valour and Success of yours, that only hath gained Victories (as you use them) against the Commonwealth. Could ever* England *have thought to have seen that Army that [illegible] never mention'd without the Titles of Religious, Zealous, Faithful, Courageous, the Fence of her Liberty at home, the Terror of her Enemies abroad, become her Goalers? Not her Guard, but her Oppressors? Not her Soldiers, but a Tyrant's Executioners, drawing to Blocks and Gibbets all that dare be honester than themselves? This you do, and this you are; nor can you ever redeem your own Honour, the Trust and Love of your Country, the Estimation of brave Men,*

th

the Prayers of good, if you let not speedily the World see you have been deceived, which they will only then believe, when they see your Vengeance upon his faithless Head that did it: This if you defer too long to do, you will find too late to attempt, and your Repentance will neither vindicate you, nor help us. To let you see you may do this as a lawful Action, and to persuade you to it as a glorious one, is the principal Intent of this following Paper: Which whatever Effects it hath upon you, I shall not absolutely fail of my Ends; for if it excites not your Virtue and Courage, it will yet exprobate your Cowardice and Baseness. This is from one that was once one amongst you, and will be so again when you dare be as you were.

IT is not any Ambition to be in Print, when so few spare Paper and the Press, nor any Instigations of private Revenge or Malice (tho' few that dare be honest now want their Causes) that have prevailed with me to make my self the Author of a Pamphlet, and to disturb that Quiet which at present I enjoy, by his Highness's great Favour and Injustice. Nor am I ignorant to how little Purpose I shall employ that Time and Pains, which I shall bestow upon this Paper. For to think that any Reasons or Persuasions of mine, or Convictions of their own, shall draw Men from any thing wherein they see Profit or Security, or to any thing wherein they fear Loss, or see Danger, is to have a better Opinion both of myself and them, than either of us both deserve.

Besides, the Subject itself is of that nature that I am not only to expect danger from ill Men, but censure and disallowance from many that are good; for these Opinions, only look'd upon, not look'd into, (which all have not Eyes for) will appear bloody and cruel; and these Compellations I must expect from those that have a Zeal, but not according to Knowledge. If therefore I had consider'd my self, I had spared whatever this is of Pains, and not distasted so many, to please so few as are in Mankind (the honest and the wise.) But at such a time as this, when GOD is not only exercising us with a usual and common Calamity, of letting us fall into Slavery that used our Liberty so ill; but is pleased so far to blind our Understandings, and to debase our Spirits, as to suffer us to court our Bondage, and to place it amongst the Requests we put up to him; Indignation makes a Man

break that Silence that Prudence would perſuade him to uſe; if not to work upon other Mens Minds, yet to eaſe his own.

A late Pamphlet tells us of a great Deſign diſcovered againſt the Perſon of his Highneſs, and of the Parliaments coming (for ſo does that Junto prophane that Name) to congratulate with his Highneſs, his happy Deliverance from that wicked and bloody Attempt. Beſides this, that they have ordered that GOD Almighty ſhall be mock'd with a Day of Thankſgiving (as I think the World is with the Plot) and that the People ſhall give publick Thanks for the pubick Calamity, that GOD is yet pleaſed to continue his Judgments upon them, and to fruſtrate all Means that are uſed for their Deliverance. Certainly none will now deny that the *Engliſh* are a very thankful People. But I think if we had read in Scripture that the *Iſraelites* had cried unto the Lord, not for their own Deliverance, but the Preſervation of their Taſk-Maſters, and that they had thanked GOD with Solemnity that *Pharaoh* was yet living, and that there was ſtill great hopes of the daily increaſe of the number of their Bricks: Tho' that People did ſo many things, not only impiouſly and prophanely, but ridiculouſly and abſurdly; yet certainly they did nothing we ſhould more have wondered at, than to have found them ceremoniouſly thankful to GOD for Plagues, that were commonly ſo brutiſhly unthankful for Mercies; and we ſhould have thought that *Moſes* had done them a great deal of Wrong, if he had not ſuffered them to enjoy their Slavery, and left them to their Taſks and Garlick.

I can with Juſtice ſay, my principal Intention in this Paper is not to declaim againſt my Lord *Protector* or his Accomplices; for were it not more to juſtify others than to accuſe them, I ſhould think their own Actions did that Work ſufficiently, and I ſhould not take pains to tell the World what they knew before; my deſign is, to examine whether, if there hath been ſuch a Plot as we hear of, and that it was contrived by Mr. *Sindercombe* againſt my Lord *Protector*, and not by my Lord Protector againſt Mr. *Sindercombe* (which is doubtful) whether it deſerves thoſe Epithets Mr *Speaker* is pleaſed to give it, of Bloody, Wicked, and proceeding from the Prince of Darkneſs. I know very well how incapable the vulgar are of conſidering what is extraordinary and ſingular in every Caſe, and that they judge of things, and name them by their exterior Appearances, without penetrating

ting at all into their Causes or Natures: And without doubt when they hear the *Protector* was to be killed, they strait conclude a Man was to be murthered, not a Malefactor punished: For they think the Formalities do always make the things themselves, and that 'tis the Judge and the Crier that makes the Justice, and the Goal the Criminal. And therefore when they read in the Pamphlet Mr. *Speaker*'s Speech, they certainly think he gives these Plotters their right Titles; and, as readily as a High Court of Justice, they condemn them without ever examining whether they would have killed a Magistrate, or destroyed a Tyrant, over whom every Man is naturally a Judge and an Executioner, and whom the Laws of GOD, of Nature, and of Nations expose, like Beasts of Prey, to be destroyed as they are met.

That I may be as plain as I can, I shall first make it a Question (which indeed is none) whether my Lord Protector be a Tyrant or not? Secondly, If he be, Whether it is lawful to do Justice upon him without Solemnity, that is, *to kill him*? Thirdly, If it be lawful, Whether it is likely to prove profitable or noxious to the Commonwealth?

Quest. I. The Civil Law makes Tyrants of two sorts; *Tyrannus sine Titulo*, and *Tyrannus Exercitio*: The one is called a Tyrant because he hath no Right to govern; the other because he governs Tyrannically. We will briefly discourse of them both, and see whether the *Protector* may not with great Justice put in his Claim to both Titles.

We shall sufficiently demonstrate who they are that have not a Right to govern, if we shew who they are that have; and what it is that makes the Power just, which those that Rule, have over the natural Liberty of other Men. To Fathers, within their private Families, Nature hath given a Supreme Power: *Every Man*, says *Aristotle**, *of Right governs his Wife and Children*: And this Power was necessarily exercised† every where, whilst Families lived dispersed, ‡ before the Constitutions of Commonwealths; and in many places it continued after, as appears by the Laws of *Solon*, and the most ancient of those of *Rome*. And indeed, as by the Laws of GOD ‖ and Nature, the Care, Defence, and Support of the Family lies upon every Man whose it is, so by the same Law there is due unto every Man from his

* *Pol.* l. 1. c. 1. † *Gen.* 34. 24. ‡ *Arist.* ibid.
‖ 1 *Tim.* 5. 8

Family, a Subjection and Obedience, in compensation of that Support, but several Families uniting themselves together to make up one Body of a Commonwealth, and being independent one of another, without any natural Superiority or Obligation, nothing can introduce among them a disparity of Rule and Subjection, but some Power that is over them, which Power none can pretend to have but GOD and themselves: Wherefore all Power which is lawfully exercised over such a Society of Men * (which, from the end of its Institution, we call a Commonwealth) must necessarily be derived either from the Appointment of GOD Almighty, who is Supreme Lord of all and every part, or from the Consent of the Society itself, who have the next Power to his, of disposing of their own Liberty, as they shall think fit for their own Good. This Power GOD hath given to Societies of Men, as well as he gave it to particular † Persons, and when he interposes not his own Authority, and appoints not himself who should be his Vicegerents, and Rule under him, he leaves it to none but the People themselves to make the Election, whose Benefit is the End of all Government. Nay, when He Himself hath been pleased to appoint Rulers for that People, which he was pleased peculiarly to own; He many times made the Choice, but left the Confirmation and Ratification of that Choice to the People themselves. So *Saul* ‡ was chosen by GOD, and anointed King by his Prophet, but made King by all the People at *Gilgal* ‖. *David* was anointed King ⸸ by the same Prophet; but was afterwards, after *Saul*'s Death, confirmed by the People of *Juda* ⫴, and seven Years after by the Elders of †† *Israel*, the Peoples Deputies, at *Chebron*: And it is observable, that tho' they knew that *David* was appointed King by GOD, and anointed by his Prophet, yet they likewise knew that GOD allowed to themselves not only his Confirmation, but likewise the Limitation of his Power; for before his Inauguration they made a League ‡‡ with him; that is, obliged him by Compact to the performance of such Conditions as they thought necessary for the securing their Liberty. Nor is it less remarkable, that when GOD gives Directions to his People concerning their Government, he plainly leaves the

* *Vid. Hooker Eccles. Pol.* l. 1. c. 10.
† *Exod.* 21.
‡ 1 *Sam.* 10. 1.
‖ 1 *Sam.* 12. 2.
⸸ 1 *Sam.* 16.
⫴ 2 *Sam.* 2. 4.
†† 2 *Sam.* 5. 3.
‡‡ Ibid.

Form

Form to themſelves: For he ſays not, when thou ſhalt have come into the Land which the Lord thy GOD gives thee, *Statues ſuper te Regem*; but, *Si * dixeris ſtatuam.* GOD ſays not, Thou ſhalt appoint a King over thee: But, if thou ſhalt ſay, I will appoint, leaving it to their Choice, whether they would ſay ſo or no. And it is plain in that place, that GOD gives the People the Choice of their King, for he there inſtructs them whom they ſhall chooſe, *E medio fratrum tuorum*, one out of the midſt of thy Brethren; much more might we ſay, if it were a leſs manifeſt Truth, that all juſt Power of Government is founded upon theſe two Baſes, of GOD's immediate Command, or the People's Conſent. And therefore, whoſoever arrogates to himſelf that Power, or any part of it, that cannot produce one of thoſe two Titles, is not a Ruler, but an Invader; and thoſe that are ſubject to that Power, are not govern'd, but oppreſt.

This being conſider'd, have not the People of *England* much Reaſon to aſk the *Protector* this Queſtion; *Quis conſtituit te virum principem & judicem ſuper nos*? Who made thee a Prince and a Judge over us? If GOD made thee, make it manifeſt to us: If the People, where did we meet to do it? Who took our Subſcriptions? To whom deputed we our Authority? And when and where did thoſe Deputies make the Choice? Sure theſe Interrogations are very natural, and, I believe would much trouble his Highneſs's Council and his Junto to anſwer. In a word, That I may not tire my Reader (who will not want Proofs for what I ſay, if he wants not Memory) if to change the Government without the Peoples Conſent: If to diſſolve their Repreſentatives by force, and diſannul their Acts: If to give the Name of the Peoples Repreſentatives to Confederates of his own, that he may *eſtabliſh Iniquity by a Law:* If to take away Mens Lives out of all Courſe of Law, by certain Murtherers of his own Appointment, whom he names, *A High Court of Juſtice:* If to decimate Mens Eſtates, and by his own Power to impoſe upon the People what Taxes he pleaſes; and to maintain all this by Force of Arms: If, I ſay, all this does make a Tyrant, his own Impudence cannot deny but he is as compleat a one as ever hath been ſince there hath been Societies of Men. He that hath done, and does all this, is the Perſon for whoſe preſervation the People of *England* muſt

* *Deut.* 17. 14.

pray; but certainly if they do, 'tis for the same Reason that the old Woman of *Syracuse* prayed for the long Life of the Tyrant *Dionysius*, lest the Devil should come next.

Now, if instead of GOD's Command, or the Peoples Consent, His Highness hath no other Title but Force and Fraud, which is to want all Title: And if to violate all Laws, and propose none to Rule by but those of his own Will, be to exercise that Tyrrnny he hath usurp'd, and to make his Administration conformable to his Claim; then the first Question we proposed is a Question no longer.

But before we come to the second, being Things are more easily perceived and found by the Description of their *exterior Accidents and Qualities*, than the defining their Essences, it will not be amiss to see, whether his Highness hath not as well the outward Marks and Characters by which Tyrants are known, as he hath their *Nature and Essential* Properties: Whether he hath not the Skin of the Lion and Tail of the Fox, as well as he hath the Violence of the one and Deceit of the other. Now in this Delineation which I intend to make of a Tyrant, all the Lineaments, all the Colours will be found so naturally to correspond with the Life, that it cannot but be doubted whether His Highness be the Original or the Copy; whether I have, in drawing the Tyrant, represented him; or in representing him expresst a Tyrant: And therefore, lest I should be suspected to deal unsincerely with His Highness, and not to have applied these following Characters, but made them, I shall not give you any of my own stamping, but such as I find in *Plato*, *Aristotle*, *Tacitus*, and His Highness's own Evangelist, *Machiavel*.

The Marks of a Tyrant, Arist. Pol. l. 5. c. 10. Vid. Mach. Discor. lib. 1. cap. 40.

1. Almost all Tyrants have been first Captains and Generals for the People, under pretences of vindicating or defending their Liberties. *Ut imperium evertant, Libertatem præferunt; cum perverterunt, ipsam aggrediuntur*, says *Tacitus* *; To subvert the present Government, they pretend Liberty for the People: When the Government is down, they then invade that Liberty themselves. This needs no Application.

* An. lib. 1. Idem alibi: *cæterum libertas & speciosa nomina prætexuntur, nec quisquam alienum servitium, & Dominationem sibi concupivit, ut non eadem ista vocabula usurparet.*

2. Ty-

2. Tyrants accompliſh their Ends much more by Fraud than Force. Neither Virtue nor Force (ſays *Machiavel* †) are ſo neceſſary to that purpoſe, as *una Aſtutia fortunata*, a lucky Craft, which, ſays he *, without Force, has been often found ſufficient, but never Force without that. And in another place ‖ he tells us, their way is *Aggirare Icervelli de gli huomini con Aſtutia*, &c. With cunning plauſible pretences to impoſe upon Mens Underſtandings, and in the end they maſter thoſe that had ſo little Wit as to rely upon their Faith and Integrity.

'Tis but unneceſſary to ſay, that had not His Highneſs had a Faculty to be fluent in his Tears, and eloquent in his Execrations: Had he not had ſpongy Eyes, and a ſupple Conſcience; and beſides, to do with a People of great Faith, but little Wit: His Courage and the reſt of his Moral Virtues, with the help of his Janizaries, had never been able ſo far to advance him out of the reach of Juſtice, that we ſhould have need to call for any other Hand to remove him, but that of the Hangman.

3. They abaſe all excellent Perſons, and rid out of the way all that have noble Minds. *Et terræ filios extollunt*; and advance Sons of the Earth.

To put *Ariſtotle* ‡ into other words, They purge both Parliament and Army, till they leave few or none there, that have either Honour or Conſcience, either Wit, Intereſt, or Courage to oppoſe their Deſigns. And in theſe Purgations (ſaith *Plato* ⸸) Tyrants do quite contrary to Phyſicians; for they purge us of our Humours, but Tyrants of our Spirits.

4. They dare ſuffer no Aſſemblies, not ſo much as Horſe-Races.

5. In all places they have their Spies and Delators, that is, they have their *Fleetwoods*, their *Broughals*, their *St. Johns*, (beſides innumerable ſmall Spies) to appear diſcontented and not to ſide with them; that under that Diſguiſe they may get Truſt, and make Diſcoveries. They likewiſe have their Emiſſaries to ſend with forged Letters. If any doubt this, let him ſend to Major-General *Brown*, and he will ſatisfy him.

* *Mach. Diſcor.* lib. 2. cap. 13. † *Il. princ.* c. 9.
* *Diſc.* lib. 2. c. 13. ‖ *Princ.* c. 18. ‡ *Ariſt. Pol.* l. 5. c. 11.
⸸ *Plato de Rep.* lib. 8. ibid.

6. They

6. They ſtir not without a Guard; nor His Highneſs without his Life-guard.

7. They impoveriſh the People that they may want the Power, if they have the Will to attempt any thing againſt them. His Highneſs's Way is by Taxes, Exciſe, Decimations, *&c.*

8. They make War to divert and buſy the People*: and beſides, to have a pretence to raiſe Moneys and to make new Levies, if they either diſtruſt their old Forces or think them not ſufficient. The War with *Spain* ſerveth His Highneſs to this purpoſe; and upon no other Juſtice was it begun at firſt, or is ſtill continued.

9. They will ſeem to honour and provide for good Men; that is, if the Miniſters will be Orthodox and Flatter; if they will wreſt and torture the Scripture to prove his Government lawful, and furniſh him with Title, His Highneſs will likewiſe be then content to underſtand Scripture in their Favour, and furniſh them with Titles.

10. Things that are odious and diſtaſtful † they make others Executioners of; and when the People are diſcontented, they appeaſe them with ſacrificing thoſe Miniſters they imploy. I leave it to His Highneſs's Major-Generals to ruminate a little upon this Point.

11. In all things they pretend to be wonderful careful of the Publick; to give general Accounts of the Money they receive, which they pretend to be levied for the maintenance of the State, and the proſecuting of the War. His Highneſs made an excellent Comment upon this place of *Ariſtotle* ‡, in his Speech to this Parliament.

12. All things ſet aſide for Religious Uſes they ſet to Sale; that while thoſe things laſt they may exact the leſs of the People. The Cavaliers would interpret this of the Dean and Chapters Lands.

13. They pretend Inſpirations from God, and Reſponſes from Oracles to authorize what they do; His Highneſs hath ever been an Enthuſiaſt. And as ‖ *Hugh Capet*, in taking the

* *Ariſt.* ibid. *Ariſt.* ibid. Id. ib. *& Plato de Rep.* lib. 9. Id. ib.
† *Machiav. Pr.* cap. 19. Machiavel *adds*, And do grateful things themſelves. *But that I omit; for I really am unprovided of an Inſtance for His Highneſs, for I have not yet heard of any Good he hath done himſelf.* ‡ *Ariſt.* ibid. *Plato de Rep.* lib. 8. *Id. & Plut. paſſim.*
‖ *Hiſt. of Franc.* Ibid. Lib. 5. c. 11.

Crown

Crown, pretended to be admoniſhed to it in a Dream by St. *Valery* and St. *Richard*; ſo I believe will His Highneſs do the ſame, at the Inſtigation of S. *Henry* and S. *Richard*, his two Sons.

14. Laſtly, above all things they pretend a Love to GOD and Religion. This *Ariſtotle* calls *Artis Tyrannicariæ potiſſimam*; the ſureſt and beſt of all the Arts of Tyrants; and we all know His Highneſs hath found it ſo by Experience. He hath found indeed, that in Godlineſs there is great Gain; and that Preaching and Praying, well managed, will obtain other Kingdoms as well as that of Heaven. His indeed have been pious Arms, for he hath conquered moſt by thoſe of the Church, by Prayers and † Tears. But the Truth is, were it not for our Honour to be governed by one that can manage both the Spiritual and Temporal Sword, and, *Roman* like, to have our Emperor our High Prieſt, we might have had Preaching at a much cheaper Rate, and it would have coſt us but our Tythes, which now coſts us all.

Other Marks and Rules there are mentioned by *Ariſtotle* to know Tyrants by; but they being unſuitable to His Highneſs's Actions, and impracticable by his Temper, I inſiſt not on them. As, among other things, ‡ *Ariſtotle* would not have a Tyrant inſolent in his Behaviour, nor ſtrike People. But His Highneſs is naturally Cholerick, and muſt call Men Rogues, and go to Cuffs. At laſt he concludes, He ſhould ſo faſhion his Manners, as neither to be really good, nor abſolutely bad, but half one, half t'other. Now this half Good is too great a proportion for His Highneſs, and much more than his Temper will bear.

But to ſpeak Truth more ſeriouſly, and to conclude this firſt Queſtion. Certainly, whatever theſe Characters make any Man, it cannot be denied but His Highneſs is; and then if he be not a Tyrant, we muſt confeſs we have no definition nor deſcription of a Tyrant left us, and may well imagine there is no ſuch thing in Nature, and that 'tis only a Notion and a Name. But if there be ſuch a Beaſt, and we do at all believe what we ſee and feel, let us now enquire, according to the Method we propoſed, whether this be a Beaſt of Game that we are to give Law to, or a Beaſt of Prey to deſtroy with all Means that are allowable and fair?

† *Preces & lacrymæ ſunt arma Eccleſiæ.* ‡ *Pol.* l. 5. c. 11.

In

Whether it be lawful to kill a Tyrant?

In deciding this Question Authors very much differ, as far as it concerns supreme Magistrates, who degenerate into Tyrants. Some think they are to be born with as bad *Parents, and place them in the number of those Mischiefs † that have no other Cure but our Patience: others think they may be questioned by that supreme Law of the Peoples Safety, and that they may answer to the Peoples Representatives for the breach of their Trust. But none, of sober Sense, make private Persons Judges of their Actions; which were indeed to subvert all Government. But, on the other side, I find none, that have not been frighted or corrupted out of their Reason, that have been so great Enemies to common Justice and the Liberty of Mankind, as to give any kind of Indemnity to a Usurper, who can pretend no Title but that of being stronger, nor challenge the Peoples Obedience upon any other Obligation but that of their Necessity and Fear. Such a Person, as one out of all Bounds of human Protection, all Men make the *Ishmael*, ‡ against whom is every Man's Hand, as his is against every Man. To him they give no more Security, than *Cain*, his Fellow-Murtherer and Oppressor, promised to himself, to be destroyed by him that found him first.

The Reason why a Tyrant's Case is particular, and why, in that, every Man hath that Vengeance given him, which, in other cases, is reserved to GOD and the Magistrate, cannot be obscure, if we rightly consider what a Tyrant is, what his Crimes are, and in what State he stands with the Commonwealth, and with every Member of it. And certainly, if we find him an Enemy to all human Society, and a Subverter of all Laws, and one that, by the greatness of his Villanies, secures himself against all ordinary Course of Justice; we shall not at all think it strange, if then he have no Benefit from human Society, no Protection from the Law, and if, in his Case, Justice dispenses with her Forms. We are therefore to consider that the end for which Men enter into Society is not barely to live, which they may do dispersed as other Animals; but to live happily, and a Life answerable to the Dignity and Excellency of their kind. Out of Society this Happiness is not to be had; for singly we are impotent and

* *Ames Parentem si æquus est; si non, feras.* † *Sicut sterilitatem, aut nimios imbres*, &c. Tacit. ‡ *Gen.* 16. 12.

defective,

defective, unable to procure those things that are either of necessity or Ornament for our Lives; and as unable to defend and keep them when they are acquired. To remedy these Defects, we associate together, that what we can neither enjoy nor keep singly, by mutual Benefits and Assistances one of another, we may be able to do both. We cannot possibly accomplish these Ends if we submit not our Passions and Appetites to the Laws of Reason and Justice: For the Depravity of Man's Will makes him as unfit to live in Society, as his Necessity makes him unable to live out of it; and if that Perverseness be not regulated by Laws, Mens Appetites to the same things, their Avarice, their Lust, their Ambition would quickly make Society as unsafe, or more, than Solitude itself, and we should associate only to be nearer our Misery and our Ruine. That, therefore, by which we accomplish the Ends of a sociable Life, is our Subjection and Submission to Laws; these are the Nerves and Sinews of every Society or Commonwealth, without which they must necessarily dissolve and fall asunder. And indeed (as *Augustine** says) those Societies where Law and Justice is not, are not Commonwealths or Kingdoms, but *Magna Latrocinia*, Great Confederacies of Thieves and Robbers: those therefore that submit to no Law, are not to be reputed in the Society of Mankind, which cannot consist without a Law: therefore *Aristotle*† saith, Tyranny is against the Law of Nature, that is, the Law of human Society, in which human Nature is preserved. For this reason they deny a Tyrant to be *Partem Civitatis*, for every Part is subject to the Whole; and a Citizen (says the same Author‡) is he who is as well obliged to the Duty of obeying, as he is capable of the Power of commanding: And indeed he does Obey whilst he does Command; that is, he obeys the Laws, which (says *Tully*) *Magistratibus præsunt, ut Magistratus præsunt populo*, are above the Magistrates, as the Magistrates are above the People. And therefore a Tyrant that submits to no Law, but his Will and Lust are the Law by which he governs himself and others, is no Magistrate, no Citizen or Member of any Society, but an Ulcer and Disease that destroys it; and if it be rightly considered, a Commonwealth, by falling into a Tyranny, absolutely loses that Name, and is actually another thing: *Non est civitas quæ unius est viri*, (says *So-*

* *De Civit. Dei.* † *Pol.* lib. 3. c. 12. ‡ Lib. 3. c. 8.

phocles)

phocles) That which is one Man's is no City. For there is no longer King and People, or Parliament and People, but those Names are changed (at least their Natures) into Masters and Servants, Lords and Slaves; and *Servorum non Civitas erit sed magna Familia* (says *Grotius*‖) Where all are Slaves 'tis not a City but a great Family: And the truth is, we are all Members of *Whitehall*, and when our Master pleaseth, he may send for us thither, and there bore thro' our Ears at the Door-posts. But to conclude, a Tyrant, as we have said, being no part of a Commonwealth, nor submitting to the Laws of it, but making himself above all Law, there is no reason he should have the Protection that is due to a Member of a Commonwealth, nor any Defence from Laws, that does acknowledge none. He is therefore in all Reason to be reckoned in the Number of those savage Beasts, that fall not with others into any Herd, that have no other Defence but their own Strength, making a Prey of all that's weaker, and, by the same Justice, being a Prey to all that's stronger than themselves.

In the next place, let it be considered, that a Tyrant making himself above all Law, and defending his Injustice by a Strength which no Power of Magistrates is able to oppose, he becomes above all Punishment, above all other Justice than that he receives from the Stroke of some generous Hand: And certainly the Safety of Mankind were but ill provided for, if there were no kind of Justice to reach great Villanies, but Tyrants should be *Immanitate Scelerum tuti*, secured by the greatness of their Crimes. Our Laws would be then but Cobwebs indeed, made only to catch Flies, but not to hold Wasps or Hornets; and it might be then said of all Commonwealths, what was said of *Athens*, That there only small Thieves were hanged, but the great ones were free, and condemned the rest. But he that will secure himself of all hands, must know he secures himself from none: He that flies Justice in the Court, must expect to find it in the Street, and he that goes armed against every Man, arms every Man against himself. *Bellum est in eos, qui judiciis coerceri non possunt*, (says *Cicero*) We have War with those against whom we can have no Law. The same Author, *Cum duo sint decertandi genera, &c.* There being two ways of deciding dif-

‖ *De jur. bel.* l. 3. c. 8.

ferences,

ferences, the one by Judgment and Arbitration, the other by Force; the one proper to Men, the other to Beasts; we must have recourse to the latter when the former cannot be obtained. And certainly, by the Law of Nature, * *ubi cessat judicium*, when no Justice can be had, every Man may be his own Magistrate, and do Justice for himself; for the Law (says *Grotius* †) that forbids me to pursue my right but by a Course of Law, certainly supposes, *Ubi copia est Judicii*, where Law and Justice is to be had; otherwise, that Law were a defence for Injuries, not one against them; and quite contrary to the Nature of all Laws, would become the Protection of the Guilty against the Innocent, not of the Innocent against the Guilty ‡. Now as it is contrary to the Laws of GOD and Nature, that Men, who are partial to themselves, and therefore unjust to others, should be their own Judges, where others are to be had; so is it as contrary to the Law of Nature, and the common Safety of Mankind, that when the Law can have no place, Men should be forbidden to repel Force by Force, and so be left without all defence and remedy against Injuries. GOD himself left not the Slave without remedy against the cruel Master: And what Analogy can that hold with reason, that the Slave, that is but his Master's Money, and but part of his Household-stuff should find redress against the Injuries and Insolencies of an imperious Master; and a free People, who have no Superior but their GOD, should have none at all against the Injustice and Oppression of a barbarous Tyrant? And were not the Incongruity full as great, that the Law of GOD permitted every Man to kill a Thief, if he took him breaking open his House in the Night; because then it might be supposed he could not bring him to Justice: But a Tyrant that is the common Robber of Mankind, and whom no Law can take hold on, his Person should be, *Sacrosanct*, *cui nihil Sacrum aut Sanctum*, to whom nothing is sacred, nothing inviolable? But the Vulgar judge ridiculously, like themselves: The Glister of things dazles their Eyes, and they judge of them by their Appearances, and the Colours that are put on them. For what can be more absurd in Nature, and contrary to all common Sense, than to call him Thief, and kill him, that comes alone, or with a few, to rob me; and to call him Lord Protector, and

* *Grot. de jur. Bel.* l. 1, c. 8. † *Ibid.* ‡ *Deut.* 17.

obey

obey him, that robs me with Regiments and Troops? As if to rove with two or three Ships were to be a Pirate, but with fifty, an Admiral. But if it be the Number of Adherents only, not the Cauſe, that makes the difference between a Robber and a Protector, I wiſh that number were defined, that we might know where the Thief ends, and the Prince begins; and be able to diſtinguiſh between a Robbery and a Tax. But ſure no *Engliſh-man* can be ignorant, that it is his Birthright to be Maſter of his own Eſtate, and that none can command any part of it but by his own Grant and Conſent, either made expreſly by himſelf, or virtually by a Parliament. All other ways are meer Robberies, in other Names: *Auferre, Trucidare, Rapere falſis nominibus imperium, atque ubi ſolitudinem faciunt, pacem appellant*; To Rob, to Extort, to murder Tyrants, falſly call'd to Govern, and to make Deſolation, they call to ſettle Peace. In every Aſſeſſment we are robb'd; the Exciſe is Robbery; the Cuſtoms Robbery; and without doubt, whenever 'tis prudent, 'tis always lawful to kill the Thieves, whom we can bring to no other Juſtice: And not only Lawful, and to do ourſelves Right, but Glorious, and to deſerve of Mankind, to free the World of that common Robber, that univerſal Pirate, under whom, and for whom, the leſſer Beaſts prey *. This Fireband I would have any way extinguiſh'd; this Ulcer I would have any Hand to lance: And I cannot doubt but GOD will ſuddenly ſanctify ſome Hand to do it, and bring down that bloody and deceitful Man, who lives not only to the Miſery, but the Infamy of our Nation.

I ſhould have reaſon to be much leſs confident of the Juſtice of this Opinion, if it were new, and only grounded upon Collections and Interpretations of my own. But herein if I am deceived, I ſhall however have the Excuſe to have been drawn into that Error, by the Examples that are left us by the greateſt and moſt virtuous, and the Opinions of the wiſeſt and graveſt Men, that have left their Memories to Poſterity. Out of the great Plenty of Confirmations I could bring for this Opinion, from Examples and Authorities, I ſhall ſelect a very few; for manifeſt Truths have not need of thoſe Supports; and I have as little Mind to tire my ſelf, as my Reader.

* *Tacit. in Vitâ. Agric.*

First therefore, A Usurper, that by only Force possesseth himself of Government, and by Force only keeps it, is yet in the State of War with every Man, says the learned *Grotius* *: And therefore every thing is lawful against him, that is lawful against an open Enemy, whom every private Man hath a right to kill. *Hostis hostem occidere volui*, says *Scævola* ‖ to *Porsena*, when he was taken, after he had failed in his Attempt to kill him; I am an Enemy, and an Enemy I would have killed; which every Man hath a right to do.

Contra publicos hostes, & Magistatis reos, omnis homo miles est, (says *Tertullian*) Against common Enemies, and those that are Traitors to the Common-wealth, every Man is a Soldier: This Opinion the most celebrated Nations have approved both by their Laws and Practices. The *Grecians*, (as *Xenophon* tells us) who suffered not Murderers to come into their Temples, in those very Temples they erected Statues to those that killed Tyrants, thinking it fit to place their Deliverers amongst their Gods. *Cicero* was an Eye-witness of the Honours that were done such Men, *Græci homines, &c.*† The *Greeks* (saith he) attribute the Honours of the Gods to those that killed Tyrants: What have I seen in *Athens* and other Cities of *Greece*! What Religion paid to such Men! What Songs! What Elogies! By which they are consecrated to Immortality, and almost deifi'd! In *Athens*, by *Solon*'s Law ‡, Death was not only decreed for the Tyrant that oppress'd the State, but for all those that took any Charge,** or did bear any Office while the Tyranny remained. And *Plato* tells us the ordinary Course they took with Tyrants in *Greece* ‡. If (says he) the Tyrant cannot be expuls'd by accusing him to the Citizens, then by secret Practices they dispatch him.

Amongst the *Romans* the *Valerian* Law was, *si quis injussu populi, &c.* Whosoever took Magistracy upon him, without the Command of the People, it was lawful for any Man to kill him. *Plutarch* makes this Law more severe, *Ut injudicatum occidere eum liceret, qui dominatum concupisceret*, That it was lawful by that Law, before any Judgment past, to kill him that but aspired to Tyranny. Likewise the Consular Law which was made after the suppression of the

* *De jure Bel. lib.* 1. *c.* 4. ‖ *Luc. lib.* 2. † *Pro Milone.* ‡ *Plut. in Solon.*
** Let His Highness's Junto mark this. ‡ *De Repub. l.* 8. *In Public.*

Tyranny of the Decemvirate, made it lawful to kill any Man that went about to create Magistrates, *sine Provocatione, &c.* without Reference and Appeal to the People. By these Laws, and innumerable Testimonies of Authors, it appears, that the *Romans*, with the rest of their Philosophy, had learned from the *Grecians*, what was the natural Remedy against a Tyrant: Nor did they honour these less that durst apply it. Who, as *Polibius* says*, (speaking of Conspiracies against Tyrants, were not *Deterrimi Civium, sed Generosissimi quique, & maximi Animi*; not the worst and meanest of the Citizens, but the most generous, and those of greatest Virtue: So were most of those that conspired against *Julius Cæsar*; he himself thought *Brutus* worthy to succeed him in the Empire of the World. And *Cicero* who had the Title of *Pater Patriæ*; if he were not conscious of the Design, yet he at least affected the Honour of being thought so: *Quæ enim res unquam, &c.* What Act (says he†) O *Jupiter*, more glorious! more worthy of Eternal Memory, hath been done, not only in this City, but in the whole World! In this Design, as the *Trojan* Horse, I willingly suffer my self to be included with the Princes. In the same place he tells us what all virtuous *Romans* thought of the Fact as well as he: *Omnes boni, quantum in ipsis fuit, Cæsarem occiderunt: aliis consilium, aliis animus, aliis occasio defuit, voluntas nemini:* All good Men (saith he) as much as lay in them, killed *Cæsar:* Some wanted Capacity; some Courage; others Opportunity; but none the Will to do it. But yet we have not declared the Extent of their Severity against a Tyrant: They exposed him to Fraud, as well as Force, and left him no Security in Oaths and Compacts; that neither Law nor Religion might defend him that violated both. *Cum Tyranno Romanis nulla fides, nulla jurisjurandi Religio*, saith *Brutus* in *Appian*‡; with a Tyrant the *Romans* think no Faith to be kept, observe no Religion of an Oath; *Seneca* gives the Reason, *Quia quicquid erat, quo mihi cohæreret, &c.* For whatever there was of mutual Obligation betwixt us, his destroying the Laws of human Society hath dissolved; so these that thought that there was *in hostem nefas* that a Villany might be committed against an Enemy; the

* *Hist.* lib. 6. † *Philip.* 2. ‡ *Appian.* lib. 7. *De Bell.*

tha

that profeſs'd, *Non minus juſte quam fortiter arma gerere* to manage their Arms with Juſtice as well as Courage: theſe that thought Faith was to be kept even with the Perfidious; * yet they thought a Tyrant would receive no Injuſtice, but to be let live; and that the moſt lawful way to deſtroy him was the readieſt, no matter whether by Force or Fraud; for againſt Beaſts of Prey Men uſe the Toyle and the Net, as well as the Spear and the Lance. But ſo great was their deteſtation of a Tyrant, that it made ſome take their Opinions from their Paſſions, and vent things which they could but ill juſtify to their Morality; they thought a Tyrant had ſo abſolutely forfeited all Title to Humanity, and all kind of Protection they could give him or his, that they left his Wife without any other Guard for her Chaſtity but Age and Deformity; and thought it not Adultery what was committed with her. Many more Teſtimonies might I bring; for 'tis harder to make choice than to find plenty. But I ſhall conclude with Authorities that are much more authentick, and Examples we may much more ſafely imitate.

The Law of GOD itſelf decreed certain † Death to that Man that would do preſumptuouſly, and ſubmit to no deciſion of Juſtice. Who can read this and think a Tyrant ought to live? But certainly, neither that nor any other Law were to any Effect, if there were no way to put it in Execution. But in a Tyrant's Caſe, Proceſs and Citation have no place, and if we will only have formal Remedies againſt him, we are ſure to have none. There's ſmall hopes of Juſtice where the Malefactor hath Power to condemn the Judge.

All Remedy therefore againſt a Tyrant is *Ehud*'s Dagger, without which all our Laws were fruitleſs, and we helpleſs. This is that High Court of Juſtice where *Moſes* brought the *Egyptian*; whither *Ehud* brought *Eglon*; *Sampſon* the *Philiſtines*; *Samuel Agag*; and *Jehoida* the She-Tyrant *Athaliah*.

Let us a little conſider in particular theſe ſeveral Examples, and ſee whether they may be proportioned to our Purpoſe.

Firſt, As to the Caſe of *Moſes* and the *Egyptian:* Certainly every Engliſhman hath as much Call as *Moſes*, and

* *Regulus qui longum ſemper fama, &c. Senec. in Exerc.* 4.7. *Mich. Epheſ. ad* 5. *Nich.* † *Utique morietur vir ille, Deut.* 17. 12.

more Cause than he to slay this *Egyptian**, that is always laying on Burthens, and always smiting both our Brethren and ourselves: For as to his Call, he had no other that we read of, but the Necessity his Brother stood in of his Help. He looked on his Brethrens Burthens, and seeing an *Egyptian* smiting an *Hebrew*, knowing he was out of the reach of all other kind of Justice, he slew him. Certainly this was and is as lawful for any Man to do as it was for *Moses*, who was then but a private Man, and had no Authority for what he did, but what the Law of Nature gives every Man; to oppose Force to Force, and to make Justice where he finds none. As to the Cause of that Action, we have much more to say than *Moses* had; he saw one *Hebrew* smitten, we many *Englishmen* murder'd; he saw his Brethrens Burdens and their Blows; we our Burdens, Imprisonments, and Deaths. Now sure, if it were lawful for *Moses* to kill that *Egyptian* that oppress'd one Man, being there was no way to procure an ordinary Course of Justice against him; it cannot be but absurd to think it unlawful to kill him‖ that oppresses a whole Nation, and one that Justice as little reaches as it defends.

The Example of *Ehud* shews us the natural, and almost the only Remedy against a Tyrant, and the way to free an oppress'd People from the Slavery of an insulting *Moabite*: 'Tis done by Prayers and Tears, with the help of a Dagger, by † crying to the Lord, and the left Hand of an *Ehud*. Devotion and Action go well together; for, believe it, a Tyrant is not of that kind of Devil that is to be cast out by only Fasting and Prayer: And here the Scripture‡ tells us what the Lord thought a fit Message to send a Tyrant from himself, a Dagger of a Cubit in his Belly: And every worthy Man that desires to be an *Ehud*, a Deliverer of his Country, will strive to be the Messenger.

We may here likewise observe in this and many places of *Judges*⸸, that when the *Israelites* fell to Idolatry, which of all Sins certainly is one of the greatest, GOD Almighty‡‡ to proportion the Punishment and the Offence, still delivered them into the Hands of Tyrants, which sure is one of the greatest of all Plagues.

* *Exod.* 2. 11, 12. ‖ *Vid. Et. Governador Christiano.* c. 8. p. 40

† *Qualquiera ciudadano me de repeter la fuerca, &c.*

‡ *Judg.* c. 3. v. 11, 19, 20. ⸸ v. 15. ‡‡ v. 20.

I

In the Story of *Sampſon**, 'tis manifeſt, that the denying him his Wife, and after the burning her and her Father; which tho' they were great, yet were but private Injuries, he took for ſufficient Grounds to make War upon the *Philiſtines*, being himſelf but a private Man, and not only not aſſiſted, but oppoſed by his ſervile Countrymen. He knew what the Law of Nature allowed him, where other Laws have no place, and thought it a ſufficient Juſtification for ſmiting the *Philiſtines* Hip and Thigh, to anſwer for himſelf; that as they did unto him, ſo had he done unto them.

Now that which was lawful for *Sampſon* to do againſt many Oppreſſors, why is it unlawful for us to do againſt one? Are our Injuries leſs? Our Friends and Relations are daily murder'd before our Faces. Have we other ways for Reparation? Let them be named and I am ſilenced: But if we have none, the Fire-brands, or the Jaw-bone, the firſt Weapons our juſt Fury can lay hold on, may certainly be lawfully employ'd againſt that uncircumcis'd *Philiſtine* that oppreſſes us. We have too the Oppoſition and Diſcouragements that *Sampſon* had, and therefore have the more need of his Courage and Reſolution: As he had the Men of *Judah*, ſo we have the Men of *Levi*, crying to us out of the Pulpit, as from the top of the Rock *Etam*, *Know ye not that the Philiſtine is a ruler over you*? The truth is, they would fain make him ſo, and bind us, with *Sampſon*, in new Cords, but we hope they will become as Flax, and that they will either looſe from our Hands, or we ſhall have the Courage to cut them.

Upon the ſame Grounds of Retaliation did *Samuel*† do Juſtice with his own Hand, upon the Tyrant *Agag*: *As thy Sword* (ſays the Prophet) *hath made Women childleſs, ſo ſhall thy mother be childleſs amongſt Women.* Nor is there any Law more natural and more juſt.

How many Mothers has our *Agag*, for his own Ambition, made Childleſs? How many Children Fatherleſs? How many have this Reaſon to hew this *Amalekite* in pieces before the Lord? And let his own Relations, and all theirs that are Confederates with him, beware, leſt Men come at laſt to revenge their own Relations in them. They make many a Woman Huſbandleſs, and many a Father‡ Childleſs: Their Wives may come at laſt to know what 'tis to want a Huſ-

* *Judg.* 15. 11, 14. † 1 *Sam.* 15, 33. ‡ *In Diſcors.*

 band,

band, and themſelves to loſe their Children. Let them remember what their great Apoſtle *Machiavel* tells them; That in Conteſtations for the preſerving their Liberty, People many times uſe Moderation; but when they come to vindicate it, their Rigour exceeds all Mein, like Beaſts that have been kept up, and are afterwards let looſe, they always are more fierce and cruel.

To conclude with the Example *Jehoiada* * hath left us: Six Years he hid the right Heir of the Crown in the Houſe of the Lord, and, without all doubt, amongſt the reſt of God's Services, there he was all that time contriving the Deſtruction of the †Tyrant that had aſpired to the Crown by the deſtruction of thoſe that had the Right to it. *Jehoiada* had no pretence to authorize this Action, but the Equity and Juſtice of the Act itſelf: He pretended no immediate Command from GOD for what he did, nor any Authority from the Sanhedrim; and therefore any Man might have done what *Jehoiada* did, as lawfully, that could have done it as effectually as he. Now what Citation was given to *Athaliah*, what Appearance was ſhe call'd to before any Court of Juſtice? her Fact was her Trial, ſhe was without any Expoſtulation taken forth of the Ranges, and only let live till ſhe got out of the Temple‡, that that Holy place might not be defiled by the Blood of a Tyrant, which was fitter to be ſhed on a Dunghil; and ſo they ſlew her at the Horſe-gate. And by the King's-Houſe, the very *White-hall* where ſhe had cauſed the Blood-Royal to be ſpilt, and which herſelf had ſo long unjuſtly poſſeſs'd, there, by Providence did ſhe receive her Puniſhment, where ſhe had acted ſo great a part of her Crimes. How the People approved of this glorious Action of deſtroying a Tyrant, this Chapter tells us at the laſt Verſe: *And all the People of the Land rejoiced, and the City was quiet, after they had ſlain Athaliah with the Sword.* And that it may appear they no leſs honoured the Authors of ſuch Actions, than other Nations did; as in his Life-time they obeyed *Jehoiada* as a King, ſo after his Death, for the good he had done in *Iſrael* (ſaith the Scripture‖) they likewiſe buried him amongſt the Kings.

I muſt not conclude this Story without obſerving that *Jehoiada* commanded, that whoſoever followed *Athaliah*

* 2 *Kings* c. 11. † 2 *Chron.* 23. ‡ 2 *Chron.* 23. 14.
‖ 2 *Chron.* 24. 16.

ſhould

ſhould be put to Death; letting us ſee what they deſerve that are Confederates* with Tyrants, and will ſide with them, and but appear to defend them, or allow them. His Highneſs's Council, his Junto, and the Aga's of his Janizaries, may, if they pleaſe, take notice of this, and repent, leſt they likewiſe periſh. And likewiſe His Highneſs's Chaplains and Tryers, who are to admit none into the Miniſtry that will preach Liberty with the Goſpel, may, if they think fit, obſerve, that with the Tyrant fell *Mattan* the Prieſt of *Baal*. And indeed, none but *Baal*'s Prieſts will preach for Tyrants: And certainly thoſe Prieſts that ſacrifice to our *Baal*, our Idol of a Magiſtrate, deſerve as well to be hang'd before their Pulpits, as ever *Mattan*† did to fall before his Altars.

I ſhould think now I had ſaid much more than enough to the ſecond Queſtion, and ſhould come to the third and laſt I propoſed in my Method; but I meet with two Objections lying in my way: The firſt is, that theſe Examples out of Scripture are of Men that were inſpired of GOD, and that therefore they had that Call and Authority for their Actions, which we cannot pretend to, ſo that it would be unſafe for us to draw their Actions into Examples, except we had likewiſe their Juſtifications to alledge.

The other Objection is, That there being now no Oppoſition made to the Government of His Highneſs, that the People following their Callings and Traffick at home and abroad, making uſe of the Laws, and appealing to His Highneſs's Courts of Juſtice, that all this argues the Peoples tacit Conſent to the Government; and that therefore now 'tis to be reputed lawful, and the Peoples Obedience voluntary.

To the firſt I anſwer, with learned *Milton*, that if GOD commanded theſe things, 'tis a ſign they were lawful, and are commendable. But ſecondly, As I obſerved in the Relations of the Examples themſelves; neither *Sampſon* nor *Samuel* alledged any other Cauſe or Reaſon for what they did, but Retaliation and the apparent Juſtice of the Actions themſelves. Nor had GOD appeared to *Moſes* in the Buſh, when he ſlew the *Egyptian*; nor did *Jehoiada* alledge any Prophetical Authority or other Call to do what he did, but that common Call which all Men have, to do all Actions of

* *Mr.* Sindercomb's *Judge and Jury may likewiſe conſider of this Point.* † 2 *Chron.* 23. 17.

Juſtice that are within their Power, when the ordinary courſe of Juſtice ceaſes.

To the ſecond my Anſwer is, That if Commerce and Pleadings were enough to argue the Peoples Conſent, and give Tyranny the Name of Government; there was never yet any Tyranny of many Weeks ſtanding in this World. Certainly, we then extremely wrong *Caligula* and *Nero* in calling them Tyrants, and they were Rebels that conſpired againſt them; except we will believe that all the while they reigned in *Rome* they kept their Shops ſhut, and open'd not their Temples, or their Courts. We are likewiſe with no leſs Abſurdity to imagine, that the whole Eighteen Years time which *Iſrael* ſerved *Eglon*, and ſix Years that *Athaliah* reigned, the *Iſraelites* quite deſiſted from Traffick, Pleadings, and all publick Acts; otherwiſe *Ehud* and *Jehoiada* were both Traitors, the one for killing his King, the other his Queen.

Having ſhewed what a Tyrant is, his Marks and Practices, I can ſcarce perſuade myſelf to ſay any thing to that I made my third Queſtion, Whether the removing him is like to prove of Advantage to the Commonwealth or not? For methinks 'tis to enquire whether 'tis better the Man die or the Impoſthume be lanc'd, or the gangreen'd Limb be cut off? But there be ſome whoſe Cowardice and Avarice furniſh them with ſome Arguments to the contrary, and they would fain make the World believe, that to be baſe and degenerate is to be cautious and prudent; and what is in truth a ſervile Fear, they falſly call a Chriſtian Patience. It will not be therefore amiſs to make appear that there is indeed that neceſſity which we think there is, of ſaving the Vineyard of the Commonwealth, if poſſible, by deſtroying the wild Boar that is broke into it. We have already ſhewed that it is lawful, and now we ſhall ſee whether it is expedient. Firſt, I have already told you, that to be under a Tyrant is not to be a Commonwealth, but a great Family, conſiſting of Maſter and Slaves. *Vir bone, ſervorum nulla eſt uſquam civitas*, (ſays an old Poet) A number of Slaves makes not a City. So that whilſt this Monſter lives we are not Members of a Commonwealth, but only his living Tools and Inſtruments, which he may employ to what uſe he pleaſes. *Servi tua eſt fortuna, Ratio ad te nihil*, (ſays another,) Thy Condition is a Slaves, thou art not to enquire a Reaſon: nor muſt we think we can continue long in the Condition of Slaves, and

not

not degenerate into the Habits and Temper that is natural to that Condition: our Minds will grow low with our Fortune, and by being accuſtomed to live like Slaves, we ſhall become unfit to be any thing elſe: *Etiam fera animalia ſi clauſa teneas virtutis obliviſcuntur*, (ſays *Tacitus*) * The fierceſt Creatures, by long Conſtraint, loſe their Courage. And, ſays Sir *Fr. Bacon*, The Bleſſing of *Iſſachar*, and that of *Judah*, falls not upon one People, to be Aſſes crouching under Burdens, and to have the Spirit of Lions. And with their Courage 'tis no wonder if they loſe their Fortune, as the Effect with the Cauſe, and act as ignominiouſly abroad as they ſuffer at home. 'Tis *Machiavel's* † Obſervation, that the *Roman* Armies that were always victorious under Conſuls, all the while they were under the Slavery of the *Decemviri*, never proſper'd. And certainly People have reaſon to fight but faintly, where they are to gain the Victory againſt themſelves; when every Succeſs ſhall be a confirmation of their Slavery, and a new Link to their Chain.

But we ſhall not only loſe our Courage, which is a uſeleſs and an unſafe Virtue under a Tyrant, but by degrees we ſhall, after the Example of our Maſter, all turn perfidious, deceitful, irreligious, flatterers, and whatever is villanous and infamous in Mankind. See but to what a degree we are come already: Can there any Oath be found ſo fortified by all Religious Ties, which we eaſily find not a diſtinction to break, when either Profit or Danger perſuades us to it? Do we remember any Engagements, or if we do, have we any Shame to break them? Can any Man think with Patience upon what we have profeſſed, when he ſees what we wildly do, and tamely ſuffer? What have we of Nobility amongſt us but the Name, the Luxury and the Vices of it? Poor Wretches! theſe that now carry that Title, are ſo far from having any of the Virtues that ſhould grace, and indeed give them their Titles, that they have not ſo much as the generous Vices that attend Greatneſs; they have loſt all Ambition and Indignation. As for our Miniſters‖, What have they, or indeed deſire they, of their Calling, but the Tythes? How do theſe horrid Prevaricators ſearch for Diſtinctions to piece contrary Oaths? How do they rake Scriptures for Flatteries? and impudently apply them to his monſtrous Highneſs? What is

* *Hiſt.* lib. 4. † *Diſcors.* l. 1. c. 24. ‖ *Doctor* Locker, *Dr.* Owen, *Mr.* Jenkins, *&c.*

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the City but a great tame Beaſt, that eats and carries, and cares not who rides it? What's the thing call'd a Parliament, but a Mock; compoſed of a People that are only ſuffered to ſit there, becauſe they are known to have no Virtue, after the Excluſion of all others that were but ſuſpected to have any? What are they but Pimps of Tyranny, who are only employed to draw in the People to proſtitute their Liberty? What will not the Army fight for? What will they not fight againſt? What are they but Janizaries, Slaves themſelves, and making all others ſo? What are the People in general, but Knaves, Fools, and Cowards, principled for Eaſe, Vice, and Slavery? This is our Temper this Tyranny hath brought us to already; and if it continues, the little Virtue that is yet left to ſtock the Nation, muſt totally extinguiſh; and then His Highneſs hath compleated his Work of Reformation. And the truth is, till then His Highneſs cannot be ſecure. He muſt not endure Virtue, for that will not endure him. He that will maintain Tyranny muſt kill *Brutus*, ſays **Machiavel.* A Tyrant, ſays *Plato* †, muſt diſpatch all virtuous Perſons, or he cannot be ſafe; ſo that he is brought to that unhappy neceſſity, either to live among baſe and wicked Perſons, or not to live at all.

Nor muſt we expect any Cure from our Patience; *Inxanno ſigli huomini*, ſays *Machiavel*, ‡ *credendo con la humilita vincere la ſuperbia.* Men deceive themſelves that think to mollify Arrogancy with Humility; a Tyrant is never modeſt but when he is weak; 'tis in the Winter of his Fortune when this Serpent bites not: We muſt not therefore ſuffer ourſelves to be cozened with hopes of his Amendment; for, *Nemo unquam ‡Imperium flagitio quæſitum bonis artibus exercuit*; Never did any Man manage the Government with Juſtice that got it by Villany. The longer the Tyrant lives, the more the Tyrannical Humour encreaſes in him, ſays ‖ *Plato*, like thoſe Beaſts that grow more curſt as they grow old. New Occaſions daily happen that neceſſitate them to new Miſchiefs; and he muſt defend one Villany with another.

But ſuppoſe the contrary of all this, and that His Highneſs were *vi Dominationis converſus, & mutatus*, changed

* *Diſc.* l. 3. c. 3. † *De Repub.* l. 8. ‡ *Diſc.* l. 2. c. 14.
‡ *Tacit. Hiſt.* l. 1. ‖ *De Repub.* l. 9.

to

to be better by great Fortune (of which he yet gives no Symptoms) what notwithstanding could be more miserable than to have no other security for our Liberty, no other Law for our Safety than the Will of a Man, tho' the most just living? We have all our Beast within us; and whosoever (says * *Aristotle*) is governed by a Man without a Law, is governed by a Man and by a Beast. *Etiam si non sit molestus Dominus; tamen est miserrimum posse si velit*, (says † *Tully*) Tho' a Master does not Tyrannize, yet 'tis a most miserable thing that 'tis in his Power to do so if he will. If he be good, so was *Nero* for Five Years; and how shall we be secure that he will not change? Besides, the Power that is allowed to a good Man, we may be sure will be claimed and taken by an ill; and therefore it hath been the Custom of good Princes ‡ to abridge their own Power, it may be distrusting themselves, but certainly fearing their Successors, to the chance of whose being virtuous they would not hazard the Welfare of their People. An unlimited Power therefore is to be trusted to none, which if it does not find a Tyrant, commonly makes one; or if one uses it modestly, 'tis no Argument that others will; and therefore *Augustus Cæsar* must have no greater Power given him than you would have *Tiberius* take. And ‖ *Cicero*'s Moderation is to be trusted with a Consideration, that there are others to be Consuls as well as he.

But before I press this Business farther, if it needs be any farther prest, that we should endeavour to rescue the Honour, the Virtue, and Liberty of our Nation, I shall answer to some few Objections that have occured to me. This I shall do very briefly.

Some I find of a strange Opinion, that it were a generous and a noble Action to kill His Highness in the Field; but to do it privately they think it unlawful, but know not why; as if it were not generous to apprehend a Thief till his Sword were drawn, and he in a posture to defend himself, and kill me. But these People do not consider, that whosoever is possessed of Power at any time, will be sure to engage so many either in Guilt or Profit, or both, that to go about to throw him out by open force, will very much hazard the

* *Pol.* l. 3. c. 11. *Plut. in Lycurg.* † *Cic. Phil.* 4. ‡ *Lycurgus Theopomp.* ‖ *Vid. Orat. Cæsaris in Sallust. consp. Cat.*

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total ruin of the Commonwealth. A Tyrant is a Devil that tears the Body in the exorciſing, and they are all of *Caligula*'s Temper *, that if they could, they would have the whole frame of Nature fall with them. 'Tis an Opinion that deſerves no other Refutation than the manifeſt abſurdity of itſelf; that it ſhould be lawful for me deſtroy a Tyrant with Hazard, Blood, and Confuſion, but not without.

"Another Objection, and more common, is the fear of what may ſucceed if His Highneſs were removed. One would think the World were bewitched. I am fallen into a Ditch where I ſhall certainly periſh if I lie; but I refuſe to be helped out for fear of falling into another: I ſuffer a certain miſery for fear of a contingent one, and let the Diſeaſe kill me becauſe there is Hazard in the Cure. Is not this that ridiculous Policy, *Ne moriare, mori*, To die for fear of dying? Sure 'tis frenzy not to deſire a Change when we are ſure we cannot be worſe, *Et non incurrere in pericula, ubi quieſcenti paria metuuntur* †, and not then to hazard when the danger and miſchiefs are the ſame in lying ſtill.

Hitherto I have ſpoken in general to all *Engliſhmen*, now I addreſs my Diſcourſe particularly to thoſe that certainly beſt deſerve that Name, ourſelves, that have fought, however unfortunately, for our Liberties under this Tyrant, and in the end, cozened by his Oaths and Tears, have purchaſed nothing but our Slavery with the price of our Blood. To us particularly it belongs to bring this Monſter to Juſtice, whom he hath made the Inſtruments of his Villany, and Sharers in the Curſe and Deteſtation that is due to himſelf from all good Men: Others only have their Liberty to vindicate, we our Liberty and our Honour. We engaged to the People with him, and to the People for him, and from our hands they may juſtly expect a Satisfaction of Puniſhment, being they cannot have that of Performance. What the People at preſent endure, and Poſterity ſhall ſuffer, will be all laid at our Doors; for only we, under GOD, have the Power to pull down this *Dagon* which we have ſet up: And if we do it not, all Mankind will repute us Approvers of all the Villanies he hath done, and Authors of all to come. Shall we that would not endure a King attempting Tyranny, ſhall we ſuf-

* *Sueton. in vit. Calig.* † *Seneca.*

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fer a profeſt Tyrant? We that reſiſted the Lion aſſailing us, ſhall we ſubmit to the Wolf tearing us? If there be no Remedy to be found, we have great Reaſon to exclaim, * *Utinam te potius (Carole) retinuiſſemus quam hunc habuiſſemus, non quod ulla ſit optanda ſervitus, ſed quod ex dignitate Domini minus turpis eſt conditio ſervi*; We wiſh we had rather endured thee, (O *Charles*!) than have been condemned to this mean Tyrant; not that we deſire any kind of Slavery, but that the Quality of the Maſter ſomething graces the Condition of the Slave.

But if we conſider it rightly, what our Duty, our Engagements, and our Honours exact from us, both our Safety and our Intereſt oblige us to; and 'tis as unanſwerable, in us, to Diſcretion as 'tis to Virtue, to let this Viper live: For firſt, he knows very well 'tis only we that have the power to hurt him, and therefore of us he will take any Courſe to ſecure himſelf: He is conſcious to himſelf how falſly and perfidiouſly he hath dealt with us; and therefore he will always fear that from our Revenge which he knows he hath ſo well deſerved.

Laſtly, he knows our Principles, how directly contrary they are to that Arbitrary Power he muſt govern by, and therefore he may reaſonably ſuſpect, that we that have already ventured our Lives againſt Tyranny, will always have the Will, when we have the Opportunity, to do the ſame again.

Theſe Conſiderations will eaſily perſuade him to ſecure himſelf of us, if we prevent him not, and ſecure our ſelves of him. He reads in his Practice of Piety †, *chi diviene Patron, &c.* He that makes himſelf Maſter of a City that hath been accuſtomed to Liberty, if he deſtroys it not, he muſt expect to be deſtroyed by it. And we may read too in the ſame Author ‡, and believe him, that thoſe that are the occaſion that one becomes Powerful, are always ruined by him, if they want the Wit and Courage to ſecure themſelves.

Now as to our Intereſt, we muſt never expect that he will ever truſt thoſe that he hath provoked and fears: He will be ſure to keep us down, leſt we ſhould pluck down him. 'Tis the Rule that Tyrants obſerve, when they are in Power, never to make much uſe of thoſe that helped them to it; and

* *Cic. in Epiſt. ad Octav.* † *Mach. pr.* c. 5. ‡ *Ibid.* c. 3.

indeed

indeed 'tis their Interest and Security not to do it: for those that have been the Authors of their Greatness, being conscious of their own Merit, they are bold with the Tyrant, and less industrious to please him: they think all he can do for them is their due, and still they expect more; and when they fail in their Expectations, (as 'tis impossible to satisfy them) their Disappointments make them discontented, and their Discontents dangerous. Therefore all Tyrants follow the Example of *Dionysius*, who was said to use his Friends as he did his Bottles, when he had use for them he kept them by him; when he had none, that they should not trouble him and lie in his way, he hung them up.

But, to conclude this already over-long Paper, Let every Man to whom GOD hath given the Spirit of Wisdom and Courage, be perswaded by his Honour, his Safety, his own good and his Countries, and indeed the Duty he owes to his Generation, and to Mankind, to endeavour by all rational means to free the World of this Pest. Let not other Nations have the occasion to think so meanly of us, as if we resolved to sit still and have our Ears bored, or that any Discouragements or Disappointments can ever make us desist from attempting our Liberty till we have purchased it, either by this Monsters Death or by our own. Our Nation is not yet so barren of Virtue, that we want noble Examples to follow amongst ourselves. The brave *Sindercombe* hath shewed as great a Mind as any old *Rome* could boast of; and had he lived there, his Name had been registred with *Brutus* and *Cato*, and he had had his Statues as well as they.

But I will not have so sinister an Opinion of ourselves (as little Generosity as Slavery hath left us) as to think so great a Virtue can want its Monuments, even amongst us. Certainly in every virtuous Mind there are Statues rear'd to *Sindercombe*. Whenever we read the Elogies of those that have died for their Country; when we admire those great Examples of Magnanimity, that have tired Tyrants Cruelties; when we extol their Constancy whom neither Bribes nor Terrors could make betray their Friends; 'tis then we erect *Sindercombe* Statues, and grave him Monuments, where all that can be said of a great and noble Mind, we justly make an Epitaph for him: And tho' the Tyrant cause him to be smothered, lest the People should hinder an open Murder, yet he will never be able to smother his Memory or his own Villany. His Poison was but a poor and common Device to impose

pose only on those that understood not Tyrants Practices, and are unacquainted (if any be) with his Cruelties and Falshoods. He may therefore, if he please, take away the Stake from *Sindercombe*'s Grave, and, if he have a mind it should be known how he died, let him send thither the Pillows and Feather-beds with which *Barkstead* and his Hangman smothered him. But to conclude, Let not this Monster think himself the more secure that he hath suppress one great Spirit *, he may be confident that *Longus post illum sequitur ordo idem petentium decus.*

There's a great Roll behind, even of those that are in his own Muster-Rowls, and are ambitious of the Name of the Deliverers of their Country; and they know what the Action is that will purchase it. His Bed, his Table, is not secure, and he stands in need of other Guards to defend him against his own Death. Death and Destruction pursues him where-ever he goes; they follow him every where, like his Fellow-travellers, and at last they will come upon him like armed Men †. Darkness is hid in his secret places, a Fire not blown shall consume him; it shall go ill with him that is left in his Tabernacle ‡. He shall flee from the Iron Weapon, and a Bow of Steel shall strike him through. Because he hath oppressed and forsaken the Poor; because he hath violently taken away a House ⸸ which he builded not; we may be confident, and so may he, that e're long all this will be accomplish'd; for the Triumphing of the Wicked is but short, and the Joy of the Hypocrite but for a Moment. Tho' His Excellency ‖ mount up to the Heavens, and his Head reacheth unto the Clouds, yet he shall perish for ever like his own Dung. They thathave seen him shall say, Where is he?

POSTSCRIPT.

Courteous Reader,

EXpect another Sheet or two of Paper of this Subject, If I escape the Tyrant's hands, altho' he gets (in the interim) the Crown upon his Head, which he hath (underhand) put his Confederates on to petition his acceptance thereof.

* *And what may* Cicil *and* Toop *expect for their Treachery and Perjury?* † *Job* 20. ‡ v. 5. ⸸ White-hall, Hampton-Court, *&c.* ‖ *He hath now left that Title for* Highness, *and will shortly leave that for* King.

THE

THE LIFE OF EDWARD *Earl of* CLARENDON.

MR. *Edward Hyde* was the Son of *Henry Hyde*, of *Pyrton* in the County of *Wilts*, by *Mary* his Wife, the Daughter and Heir of *Edward Langford* of *Tunbridge*, in the same County: Which *Henry* was the Third Son of *Laurence Hyde*, of *Gussage St. Michael* in the County of *Dorset*, descended from an Ancient and Genteel Family of his Name, living at *Northbury* in *Cheshire*. This Gentleman was born at *Dinton* near *Hindon* in *Wiltshire*, on the 16th of *February*, or thereabouts, in the Year 1608. He was very carefully Educated in Grammar-Learning, in his Youth, soon discovered the Pregnancy of his Parts, and his elevated Genius; and in Lent-Term, *Anno* 1622, became a Student of *Magdalen-Hall* in the University of *Oxford*; where having apply'd himself to indefatigable Study, and highly improv'd his natural Endowments with Academical Learning, he removed from thence after he had taken the Degree of Batchelor of Arts, to the *Middle-Temple*, where he studied the Law for several Years, and attained to an immense Knowledge in that honourable Profession. But not attaining to any publick Station till the Year 1640, we have nothing remarkable concerning him 'till that time; when he came to sit in the House of Commons as Member of Parliament for *Wotton-Basset*.

How dutifully he carried himself here to his Prince, how desirous he was of the Welfare and Tranquility of the Nation,

tion, how ſtrenuouſly he oppoſed *Hambden* and other Leading Men of the Factious Party, may be learned from his own *Hiſtory of the Rebellion.*

He was very ſerviceable to his Country, in helping to take away the Court of *York*, of which the Earl of *Strafford* had for ſome Years been Preſident. The Commons, in a Committee, having taken the ſame into Conſideration, Mr. *Hyde*, the Chairman, reported the Caſe; and thereupon it was reſolved, That the Commiſſions and Inſtructions whereby the Preſident and Council in the *North* exerciſed a Juriſdiction, was Illegal, both in Creation and Execution; and that it was unprofitable to His Majeſty, and inconvenient and grievous to His Subjects in thoſe Parts. Mr. *Hyde* thereupon being appointed to manage the Conference with the Lords touching the ſame Court, he made the following Learned and Eloquent Speech.

My Lords,

I Am commanded by the Knights, Citizens, and Burgeſſes of the Houſe of Commons, *to preſent to your Lordſhips a great crying Grievance; which tho' it be complain'd of in the preſent Preſſures but by the Northern Parts, yet by the Logick and Conſequence of it, it is the Grievance of the whole Kingdom:* The Court of the Preſidents and Council of the North, *or, as it is more uſually called,* The Court of York, *which, by the Spirit and Ambition of the Miniſters truſted there, or by the natural Inclination of Courts to enlarge their own Power and Juriſdiction, hath ſo prodigiouſly broken down the Banks of the firſt Channel in which it ran, as hath almoſt overwhelmed the Country under the Sea of Arbitrary Power, and involved the People in a Labyrinth of Diſtemper, Oppreſſion, and Poverty.*

To remember your Lordſhips of the Foundation and Erecting this Court, and of the Progreſs and Growth of it, will not be unacceptable.

Your Lordſhips well know, that upon the ſuppreſſion of all Religious Houſes to ſuch a Value, in the 27th Year of Henry VIII. *from that time to the 30th Year of that King's Reign, many (not fewer than ſix) Inſurrections and Rebellions were made in the Northern Parts, under pretence of that Quarrel, moſt of them under the Command of ſome eminent Perſon of that Country; the which being quieted before the end of the 30th Year, that Great King well*

knowing his own Mind, and what he meant to do with the great Houſes of Religion, in the Year following, for the prevention of any Inconvenience that might enſue to him upon ſuch Diſtemper, in the 31ſt Year of his Reign granted a Commiſſion to the Biſhop of Landaff, *the firſt Preſident, and others, for the quiet Government of the County of* York, Northumberland, Cumberland, *and* Weſtmorland, *the Biſhoprick of* Durham, *the County of the Cities of* York, Kingſton *upon* Hull, *and* Newcaſtle *upon* Tine. *But, my Lords, this Commiſſion was no other than a Commiſſion of* Oyer *and* Terminer, *only it had a Clauſe at the end of it for the hearing of all Cauſes, Real and Perſonal.* Quando ambæ partes, vel altera pars, gravata paupertate fuerit Quod ita ut quomodo jus ſuum ſecundum Legem Regni noſtri aliter perſequi non poſſit. *Which Clauſe, how illegal ſoever (for that it is illegal and void in Law, little doubt can be made) yet whether they exerciſed that part of the Commiſſion at all, or ſo ſparingly exerciſed it, that poor People found eaſe and benefit by it, I know not, for at that time I find no Complaint againſt that Court. And in the firſt Year of King* James *a Commiſſion was granted to the Lord* Sheffield, *which varied not from the former, only it had reference to Inſtructions which ſhould be ſent, but we find none ſent. In* June, *the 7th Year of the Reign of King* James, *a new Commiſſion was granted to the ſaid Lord* Sheffield, *very differing from all that went before it being left out, that they ſhould enquire,* per Sacramentum bonorum & legalium hominum, *and to hear and determine* ſecundum Leges Angliæ, *relation being had only to the Inſtructions, which were the firſt Inſtructions which we can find were ſent thither. I ſhall not trouble your Lordſhips with theſe or any other Inſtructions, but deſcend to the preſent Inſtructions and Commiſſions under which that part of the Kingdom groans and languiſhes ſince the Lord* Strafford *came to that Government, which was in* December 4 Car. *and ſince the Commiſſion hath been three ſeveral times renewed, in the fifth Year in* March, *in the 8th* November, *in the 13th Year of His Majeſty's Reign. In that Commiſſion of the 8th and 13th, a new Clauſe was inſerted, for the granting, ſequeſtring, and eſtabliſhing Preſſions, according to Inſtructions crouded in a maſs of new exorbitant, and intolerable Power.*

Tho' our Complaint be againſt this Commiſſion itſelf

and against the whole body of those Instructions, I shall not trouble Your Lordships with the 9th Instruction, tho' it be but short; which introduceth that miseram servitutem, ubi jus est vagum & incognitum, *by requiring an Obedience to such Ordinances and Determinations as be or shall be made by the Council Table or High Commission Court. A Grievance, my Lords, however,* consuetudo & peccantum claritas nobilitaverit hanc culpam, *of so transcendent a nature, that Your Lordships noble Justice will provide a Remedy for it, with no less care than you would rescue the Life and Blood of the Commonwealth.*

Read the 19, 22, 23, 24, 29, *and* 30. *I will not trouble Your Lordships with reading more, there being among them, in the whole* 58 *Instructions, scarce one that is not against or besides the Law.*

Whether His Majesty may Cantonize out a part of his Kingdom to be tried by Commission (tho' according to the Rules of Law, since the whole Kingdom is under the Laws and Government of the Courts established at Westminster, *and by this Reason the several parts of the Kingdom may be deprived of that Privilege) will not be now the Question.*

His Majesty cannot by Commission erect a new Court of Chancery, or a Proceeding according to the Rules of the Star-Chamber, *as is most clear to all who have read* Magna Charta, *which allowed no Proceedings,* Nisi per legale Judicium parium & per Legem terræ; *for our Court of Chancery here, by long usage and prescription, is grown to be, as it were,* Lex Terræ. *But, my Lords, the* 30*th Instruction goes further, and erects such an Empire, such a Dominion as shall be liable to no Controul.*

The Courts of Westminster, *my Lords, have Superintendencies over all inferior Courts, to regulate their Jurisdictions if they exceed their Limits, as to hold Plea of greater Value, or the like.*

In the exercise of Jurisdiction, the Judges are sworn to grant and send Prohibitions: But to stop the granting of these Prohibitions, or to neglect them when they are granted, is the greatest and boldest scorn of the Law and the Law-makers that can be imagined.

And whosoever gave Directions for these stout Instructions, might have remember'd, that no longer since than Michaelmas, *in the second Year of* Eliz. Rot. 31. *an Attachment was granted against the Archbishop of* York, *then*

Preſident of that Council, for forbidding the Goaler of York *to deliver one* Lambert *his Priſoner, who was ſent for by a* Habeas Corpus *from the* King's-Bench.

And can ſuch a Court as this, my Lords, deſerve to live? What a compendious Abridgment hath York *gotten of all the Courts in* Weſtminſter-Hall? *Whatſoever falls within the Cognizance or Juriſdiction of other Courts here, is compleatly determinable within that one Court at* York, *beſides the Power it hath with the Eccleſiaſtical and High-Commiſſion Courts.*

What have the good Northern People done, that they only muſt be diſfranchiſed of all their Privileges by Magna Charta *and the* Petition of Right? *For to what purpoſe ſerve theſe Statutes, if they may be Fined and Impriſoned without Law, according to the Diſcretion of the Commiſſioners? What have they done that they (that they alone) of all the People of this happy Iſland muſt be diſinherited of their Birthright, of their Inheritance? For Prohibitions, Writs of* Habeas Corpus, *Writs of* Error, *are the Birthright, the Inheritance of the Subjects.*

Your Lordſhips remember the Directions I mention, that by Magna Charta *all Proceedings ſhall be* per legale judicium Parium & per Legem Terræ.

Now theſe Juriſdictions tell you, you ſhall proceed according to your Diſcretion, Secundum ſanas diſcretiones, i. e. *You ſhall do what you pleaſe; only that we may not ſuſpect this Diſcretion will be gentler and kinder to us than the Law, ſpecial Proviſion is made in the Inſtructions, that no Fine, no Puniſhment ſhall be leſs than by the Law is appointed; by no means, but as much greater as your Diſcretion ſhall think fit. And indeed in this Improvement, we find Arbitrary Courts are very pregnant; if the Law require my good Behaviour, this Diſcretion makes me cloſe Priſoner; if the Law ſets me upon the Pillory, this Diſcretion appoints me to leave my Ears there. To proceed according to Diſcretion, is to proceed according to Law, which is* ſumma Diſcretio; *but not according to their private Conceit or Affection: For* Talis Diſcretio (*ſaith the Law*) Diſcretionem confundit: *And ſuch a Confuſion hath this Diſcretion in theſe Inſtructions produced, as if Diſcretion were only to act with Rage and Fury. No Inconvenience, no Miſchief, no Diſgrace that the Malice or Inſolence, or Curioſity of theſe Commiſſioners had a mind*

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to bring upon that People, but thro' the latitude and power of this Diſcretion the poor People have felt. This Diſcretion hath been the Quickſand which hath ſwallowed up their Property, their Liberty. I beſeech Your Lordſhips reſcue them from this Diſcretion.

I truly, my Lords, theſe vexed, worn People of the North, *are no Suitors to Your Lordſhips to regulate this Court, or to reform the Judges of it; but for extirpating theſe Judges, and the utter aboliſhing this Court. They are of* Cato's *Mind, who would not ſubmit to* Cæſar *for his Life, ſaying, he would not be beholden to a Tyrant for Injuſtice; for it was Injuſtice in him to take upon him to ſave a Man's Life, over whom he had no power.*

N.B. Afterwards the King gave his Conſent that this Court be abſolutely taken away by Act of Parliament.

He was watchful for the Security of the Eſtabliſh'd Church, and therefore when a Bill was brought in to take away Biſhops Votes in Parliament, he was very earneſt for throwing of it out. And in the Tragical Buſineſs of the Earl of *Strafford*, tho' he was always the Earl's Friend, and ſaid and did all he could to preſerve him, yet he had the good Fortune ſo far to eſcape the Malice of the enraged Multitude, as not to be put in the Liſt of *Straffordians*, which was poſted up in the *Old-Palace-Yard* at *Weſtminſter*.

The Commons having prepared a Charge againſt the Lord Chief Baron *Davenport*, Baron *Weſton* and Baron *Trevor*, who had given their Opinions in favour of Ship-Money, Mr. *Hyde* was ſent up with that Impeachment to the Lords, to whom he made an excellent Speech, wherein he told them, *There could not be a greater Inſtance of a ſick and languiſhing Commonwealth, than the Buſineſs of that Day; how could the Guilty of late Years be puniſhed, when the Judges themſelves have been ſuch Delinquents? That 'twas an irregular, extravagant, and arbitrary Power had broke in, like a Torrent, upon them, when the Laws, our Banks and Bulwarks of our Liberties, were in the Cuſtody of ſuch Perſons, that Men who had loſt their Innocence, could not preſerve their Courage; ſo that it could not be expected that thoſe who had viſibly undone them, ſhould themſelves have the Virtue or Credit to reſcue them from the Oppreſſion of other Men. 'Twas ſaid by one who always ſpoke excellently, That the Twelve Judges were like the Twelve Lions*

under the Throne of Solomon: *Uuder the Throne in Obedience, but yet Lions. That their Lordſhips ſhall this Day hear of Six, who (be they what they will be elſe) were no Lions, but who upon vulgar Fears delivered up the precious Forts they were intruſted with, almoſt without aſſault, and in a tame, eaſy trance of Flattery and Servitude, loſt and forfeited (ſhamefully forfeited) that Reputation, Awe, and Reverence which the Wiſdom, Courage, and Gravity of their venerable Predeceſſors had contracted and faſten'd to the Places they then held: And even render'd that Study and Profeſſion (which in all Ages had been, and he hoped now would be held in honourable Eſteem) ſo vile and contemptible, that had not that bleſſed Day come, all Men would have had that Quarrel to the Law itſelf, which* Marius *had to the* Greek *Tongue, who thought it a Mockery for a Man to learn that Language the Maſters whereof lived in Bondage under others. And he appeal'd to theſe unhappy Gentlemen themſelves, with what ſtrange Neglect, Scorn, and Indignation the Faces of all Men, even of the meaneſt, have been directed towards them, ſince (to call it no worſe) that fatal Declenſion of their Underſtandings in thoſe Judgments of which they ſtand here charged before your Lordſhips. But yet that the Work of that Day was the greateſt Inſtance of a growing and thriving Commonwealth too, and as the dawning of a fair and laſting Day of Happineſs to this Kingdom. That it was in their Lordſhips Power (as he was ſure in their Inclination) to reſtore the dejected, broken People of this Iſland to their former Joy and Security; the Succeſſors of the Accuſed to their former Knowledge and Eſteem,* & ſepultas prope leges revocare.

Here having read Three ſeveral Charges againſt the Barons aforeſaid, he obſerved to their Lordſhips, *That the great Reſolution in Ship-Money was a Crime of ſo prodigious a Nature, that it could not eaſily be digeſted by the Conſciences even of theſe Men; but that as thoſe who are to Wreſtle or run a Race, did gradually prepare themſelves by Diet and leſſer Eſſays for the main Exerciſe; ſo thoſe Judges entred themſelves, and hardned their Hearts by more particularr Incroachments upon the Law, by Taxes and Impoſitions upon Merchants, by Burdens and Preſſures upon the Gentry, and by Knighthood, before they could arrive at that general Ruin of the Kingdom by Ship-Money, which*

which flattered them with Rewards and Security for all their former Services; by doing the Work of a Parliament, in giving Supplies to the King, and seemed to elude Justice, in leaving none to judge them; by making the whole Kingdom a Party to their Oprpression: That those Three Judges seemed to be equally guilty of that Crime; for tho' the Lord Chief Baron was not charged with that Judgment in the Exchequer-Chamber against Mr. Hambden, *and that he happen'd to fail in making his Conclusion from his own Premises, yet their Lordships saw how soon he repented that that Mischief was done without him there, by overtaking his Brethren in his Circuit; and that as 'twas said of the basest sort of Flatterers,* Crudelissimo Servitutis genere, quod intra se abominabantur, palam laudabant, *he made all possible haste to rescue himself from that Imputation of Justice, and publickly declared in the face of the Country, that it was adjudged by all the Judges of* England, *that Ship-Money was due to the King.*

That he had nothing to say as to the Resolutions and Judgment itself, upon which their Lordships had passed their noble Judgment, but that the first Charge in order was that presumptuous Decree against Mr. Rolls *and others; and that in reality, what Gloss soever was put upon it, it was no other than a plain Grant of the Subsidy of* Tonnage *and* Poundage *upon all Merchandise, to the King; that after their Goods were seized for non-payment of the pretended Duty, and that the Proprietors brought* Replevins, *the natural and genuine Remedy in Cases of Property, the Court awarded an Injunction to stay them: That the Goods were in the King's Possession, and no* Replevin *would lie against him.* Here Mr. *Hide* tells their Lordships, *That the Injustice was not so scandalous as the Fraud; that every Body indeed knew, that neither a* Replevin, *nor any other Suit, lay against the King, if the Goods were in his own Hands, in his Bed-Chamber; but that to call a Seizure by Farmers, or the Ware-houses of the Customs, the King's Possession, was to deprive the Subject of his proper Remedy, and the boldest piece of Sophistry to be met with in a Court of Judicature. The* Civilians, continues he, *say,* Tutor Domini loco habetur, cum rem Administrat, non cum pupillum spoliat. *That the Office of Judges was to preserve and emedy Mens Rights; that they found here the known and unquestionable Right; What then must these Judges be*

called? That he was not willing to say much upon the Subject, 'twas enough their Lordships knew Tonnage *and* Poundage *were not a Duty to the Crown, but a Subsidy, and so granted* in Subsidium, *sometimes* pro una vice tantum; *sometimes for a Term of Years, then ceased when the Time expired; that when it was first granted for Life, it was with this Clause,* Ita quod non trahetur in Exemplum futuris Regibus; *and 'twas abundantly enough manifest His Majesty could not be tainted with the Advices and Judgment of these Men, but looked on that Duty singly, as the meer Affection and Bounty of his Subjects, which doubtless he should never want.*

That the next Charge was concerning Impositions, *that Mr.* Vassal's *Goods were seiz'd for not paying Imposts, which he looked upon to be against Law; that he was imprison'd and had Judgment given against him, without suffering him to be heard in point of Right, as having been before an adjudged Case in that of* Bates's; *and that yet those very Judges did not think themselves so tied up by former Judgments, but that they had argued a Case since, upon the same Head, which was that of* Walsingham, *adjudged in* Hilary-Term, 15 Eliz. *and continued afterwards by all the Judges of* England, *in a Writ of Error in the 21st of that Queen's Reign: That however they were seiz'd again with the same Modesty in the Case of a Noble Lord, not then present; that it was not then the Question, whether the King, without Consent of Parliament, could lay Impositions upon the Merchants Goods; that that Matter was resolved, and nothing now could be said upon the Argument: Only he took leave to say, that if the King could by Letters Patents create such a Right to himself, and by a Legal Course recover that Right, under such a Title, that then such Letters Patents were no ways inferior to an Act of Parliament: That to reconcile such a Power in the Prince, with the Property of the Subject, so that the one should not be destructive of the other, would require a far greater and subtler Genius than he pretended to.*

However, he proceeded and told their Lordships, *That he did not take the Judgment in the Case to be so great a Crime in those Judges, as that they presumed to Judge at all; that the Matter had been long debated in Parliament undetermin'd, and therefore not within the Cognizance of an inferior Court: That if what* Fortescue *says in his 36th*

Chapter

Chapter of the Laws of England *had not been true*, Neque Rex per ſe aut Miniſtros ſuos, tallagia, ſubſidia, aut quævis onera alia imponit, &c. ſine Conceſſione vel Aſſenſu totius Regni ſui in Parliamento ſuo Expreſſo, &c. *That if the Statute* de Tallagio non Concedendo, *if the Thirtieth Chapter of* Magna Charta, *and all other Statutes to that End, were not clear in the Matter, they might eaſily have apprehended ſo much Weight and Difficulty in the Queſtion, (eſpecially ſince the Word* Impoſition *was not ſo much as found in any of their Law-Books, till the Caſe in the Lord* Dyer, 1 Eliz.) *that they might very well have thought themſelves no competent Judges to determine it; and he hoped from the Experience of that Parliament, the Judges would recover that ancient Modeſty, to believe that ſome Caſes might fall out which came not properly within their juriſdiction. That in the 9th of* Edward II. *it being found by* an Office, *after the Death of* Gilbert de Clare, *Earl of* Gloceſter, *that his Siſters were his Heirs*, niſi Comitiſſa Gloceſtriæ eſſet prægnans, *the Queſtion was, Whether the King might give the Heirs the Livery*, in prejudicium Impregnaturæ; *but this being looked upon as a difficult knotty Buſineſs, and the King having commanded the Chancellor and Judges to give their Opinions in Writing, their Anſwer was*, Quod non Audebant dictum Negotium definire, nec Domino Regi conſulere ſine conſenſu Magnatum, propter raritatem & difficultatem; *and that thereupon a Day was aſſigned the Parties*, ad proximum Parliamentum. Then he appealed to their Lordſhips Knowledge *of what ſpecial Care there was taken by the Statute of* 14 Edw. III. Cap. 5. *that ſuch difficult Matters as were not fit for the Judges, or through eminent Delay were not diſpatch'd by them, ſhould be determined in Parliament. Not that he would have the Parties concern'd recur upon all Occaſions to their Lordſhips Judgments, rather than the Rules and Proceedings of the Law, which might occaſion much Miſchief and Confuſion; but in ſuch Caſes that had been delay'd only thro' the difficulty of them: and he wiſhed thoſe Gentlemen had thought it a Matter of ſo much Difficulty as required to be delayed.*

The next Thing he came to, was the Charge concerning Knighthhod, to which he ſaid, *That Mr.* Maleveren *appearing upon the Proceſs of the Court of Exchequer, and ſubmitting to the Fine*, poſuit ſe in Gratiam Curiæ; *that the*

Barons

Barons refuſed to impoſe any Fine, that they had no Power to do that, but that he muſt treat with certain Commiſſioners appointed for that purpoſe, and Compound with them. He told their Lordſhips, *That they had never met ſuch Contradictions of Crimes in the ſame Men; and who could have expected that in one Charge they ſhould have the Mettle to uſurp the Power, and to exerciſe the Juriſdiction of the Higheſt Court, the Court of Parliament, and preſently to want the Spirit to do what was ſo reſtrain'd and peculiar to their Places, and ſuch as none elſe could do. They had not the Power to Fine; as if the whole Buſineſs of Sworn Judges in a Court of Judicature, was to ſummon Men thither, and then to ſend them on Errands to other Commiſſioners for Juſtice: 'Twas true that the Commiſſions of* 1 Edw. II. *to* Tiptoffe *and* Berk, *and afterwards to others, were and had been to Compound with thoſe who deſired it, or otherwiſe that they had no Power to compel or Fine any; that that Truſt by Law was, and was only in the Judge: ſo that if that Duty was the King's Right, and that the Perſons liable to it refuſed to Compound, the King, for any thing thoſe Judges could do, muſt loſe that Duty, for that they could impoſe no Fine: Only they had found a Trick, which they called,* The Courſe of the Court, *to make His Majeſty a Saver. Let Perſons appear when they would, plead what they would, ſubmit to the Mercy of the Court,* Iſſues *ſhould go on ſtill, as if they had done neither, till they had done ſomewhat that the Court would not order them to do, nor was bound to take notice of when they had done. That their Lordſhips were to help them out of that Circle; and that they might ſee how incapable the Judges were of any Excuſe in that reſpect, the very* Mittimus *out of Chancery expreſly commanded them, among other things,* Ut fines omnium eorum qui juxta Proclamationem prædict. ordinem ante prædict. diem ſuſcepiſſe debuerant, Capiatis, &c. *It was worth their Lordſhips Obſervation, that that Misfortune commonly attended (and might it ever) thoſe abſolute diſuſed Rights; that let the thing in itſelf be in ſome meaſure lawful, the Adviſers and Miniſters of it ſo failed in the Execution, that as it uſually proved grievous to the Subject, ſo by ſome Circumſtances it proved as Penal to the Inſtruments, as if it were in the very nature of the Thing, againſt the Laws of Government.*

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He told their Lordſhips *in what Dreſs of Injuſtice, Subtilty and Oppreſſion, he very unwillingly was forced to preſent thoſe Judges before them; that if they appear'd to their Lordſhips under any other Character of known and confeſſed Learning in the whole Courſe of their Lives, their Lordſhips were only to judge how far that aggravated their Faults: That if under the Excuſe of Ignorance, or but little Knowledge in the Duties of their Places, their Lordſhips would eaſily conclude what infinite Miſchief, of which their Lordſhips had no particular Information, the Subjects had ſuffered in their Lives and Fortunes under ſuch Ignorance and Preſumption: That if under the Reputation of Prudence and Integrity in all Caſes, except thoſe preſented to their Lordſhips, they would at leaſt concur with the Opinion the* Lacedemonians *had of the* Athenians; That if they carried themſelves well formerly and ill now, they deſerved a double Puniſhment, becauſe they were not Good as they had been, and becauſe they were Evil as they had not been.

That if the excellent and envied Conſtitution of the Government had of late been ſick, their Lordſhips ſaw the Cauſe of it; that if the ſweet Harmony between the King's Protection and the Subjects Obedience had unluckily ſuffered Interruption; that if the Royal Juſtice and Honour of the beſt of Kings had been miſtaken by his People; that if the Duty and Affection of the moſt faithful and loyal Nation had been ſuſpected by their Gracious Sovereign; that if by theſe Miſrepreſentations and Miſunderſtandings the King and People had been robbed of the Delight and Comfort of each other, and the bleſſed Peace of the Iſland ſhaken and frighted into Tumults and Commotions, into the Poverty, tho' not into the Rage of War, as a People prepared for Deſtruction and Deſolation: Theſe were the Men that Actively or Paſſively, by Doing and not Doing, had brought all that upon them: Miſera ſervitus falſo pax vocatur; ubi Judicia deficiunt, incipit bellum. This ſaid, He concluded that he was commanded by the Houſe of Commons to deſire their Lordſhips, that thoſe three Judges might be ſpeedily required to anſwer theſe Impeachments, and that ſuch further Proceedings might be had againſt them, as the Method and Juſtice of Parliament would admit.

But

But Mr. *Hyde* finding things carried to too great an Extream in the Houſe of Commons, devoted himſelf wholly to the Royal Cauſe, and went with the King to *York*, in 1642, with whom he afterwards continued, and ſerved him with the utmoſt Application and Fidelity. And indeed His Majeſty found him very uſeful to him, not only in his Council, but alſo in drawing his Declarations and Replies to the Parliament from time to time.

All things tending furiouſly towards a Civil War, Sir *Edward Hyde* (for His Majeſty had now conferr'd the Honour of Knighthood upon him) attended the King to *Nottingham*. The Parliament were ſo incenſed at him for leaving them, that in their Inſtructions to the Earl of *Eſſex* their General, they excepted him, among a few others, from any Grace or Favour of theirs.

Sir *Edward* being a Gentleman of the Gown, it was not his Province to fight, and for that Reaſon there cannot be ſo much Mention made of him as of ſome others, in the Courſe of the Civil Wars: But when the Treaty of *Uxbridge* was ſet on Foot, he being then Chancellor of the Exchequer, was conſtituted by His Majeſty one of the Commiſſioners in that Treaty: Wherein he pleaded ſtoutly for the eſtabliſhed Government of the Church, and the King's Right to diſpoſe of the Militia, *&c.*

When the King's Affairs were grown deſperate, and it became neceſſary to tranſport the Prince of *Wales* into Foreign Parts, Sir *Edward Hyde* was utterly againſt his being carried into *France*, and adviſed his going into the Iſles of *Scilly* and *Jerſey*, where he remained for ſome time with Sir *Edward* and others attending on him. During their Abode there, the King writ to Sir *Edward* a very kind Letter, with his own Hand, thanking him for undertaking the *Hiſtory of the Rebellion*, and telling him withal, he might expect ſhortly to receive ſome Contribution from him towards it. And in a very little time after he ſent to him his own Memorials (or thoſe which by his Command had been kept, and were peruſed and corrected by himſelf) of all that had paſſed from the time he had left His Majeſty at *Oxford*, when he waited upon the Prince into the *Weſt*, to the very Day that the King left *Oxford* to go to the *Scots*.

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The Prince being now King, in the room of his Father, who was barbarously murder'd, had the faithful Attendance and Service of Sir *Edward Hyde* through all places of his Exile. While they were at *Paris* they had, for some time, a place allow'd them for Publick Worship, according to the Church of *England*. But when that was deny'd them, and the *French* Protestant Ministers of *Charenton* press'd the King to go to their Church, and were seconded therein by the Lord *Jermyn*, Sir *Edward*, with equal Earnestness, dissuaded His Majesty from going thither; telling him, That that People had not deserv'd so great a Favour from him: For as soon as the Troubles begun, the *Hugonots* of *France* had generally express'd great Malice against the late King; and very many of their Preachers and Ministers had publickly and industriously justify'd the Rebellion, and prayed for the good Success of it: And their Synod itself had in such a manner inveigh'd against the Church of *England*, that they, upon the Matter, profess'd themselves to be of another Religion, and against Episcopacy, as if it were inconsistent with Protestancy. One of their great Professors in their University of *Saumur*, who was look'd upon as a Man of the most moderate Spirit amongst their Ministers, had published an Apology for the general Inclination of that Party to the Proceedings of the Parliament of *England*, lest it might give some Jealousy to their own King of their Inclination to Rebellion, and of their Opinion that it was lawful for Subjects to take up Arms against their Prince, which, he said, could not be done in *France* without manifest Rebellion, and incurring the Displeasure of GOD for the manifest Breach of his Commandments; because the King of *France* was an absolute King, and independent upon any other Authority: But that the Constitution of the Kingdom of *England* was of another Nature, because the King there was subordinate to the Parliament, which had Authority to raise Arms for the Reformation of Religion, or for executing the publick Justice of the Kingdom against all those who violated the Laws of the Nation; so that the War might be just there, which in no case could be warrantable in *France*. He added, That after such an Indignity offer'd to him and to his Crown, and since they had now made such a distinction between the Episcopal and the Presbyterian Government, that they thought the Professors were not of the same Religion, his going to *Charenton* could not be without this effect,

effect, that it would be concluded every where, that His Majesty thought the one or the other Profession to be indifferent; which would be one of the most deadly Wounds to the Church of *England* that it had yet ever suffer'd. These Reasons moved the King to declare positively, that he would not go to *Charenton*; for which many were very angry with Sir *Edward* as an implacable Enemy of the *Presbyterians*.

In the Distress which the King suffer'd during his abode in *France*, Sir *Edward Hide*'s Part was the most uneasy and grievous. And the Queen's Displeasure was so notorious against him, that tho' he had the Honour to lodge in the same House with Her Majesty, he did not see her Face for many Months, and she was not reserved in declaring, that she was exceedingly desirous to remove him from the King. Last of all, when the King, weary of *France*, retired into *Germany*, she parted with Sir *Edward* in Disgust.

In the *Christmas* Holidays before *Cromwel*'s Death, his Majesty was pleased to constitute Sir *Edward Hide* Lord Chancellor of *England*; of whose Capacity, as well as Integrity, His Majesty had so long and convincing Eperience, that he was the more ready to leave all to him.

The Lord Chancellor (upon the Restoration) was very instrumental with the King to grant his Subjects the largest Concessions of Favour and Indemnity, that could well be imagined. And he drew up His Majesty's Declarations and Speeches to that purpose.

In the Month of *October*, 1660, the University of *Oxford* were pleased to make choice of Sir *Edward Hide* for their Chancellor. About the same time he was one of those Lords put in Commission of *Oyer* and *Terminer* to Try the Regicides. And His Majesty, on the 3d of *November*, was pleased, in Gratitude for the long and faithful Services of the Lord Chancellor, and as an Instance of his Royal Favour, to raise him to the Degree of a Baron of *England*, by the Title of Lord *Hide* of *Hindon* in the County of *Wilts*: And on the 20th of *April* 1661, he created him Viscount *Cornbury* in the County of *Oxford*, and Earl of *Clarendon* in *Wiltshire*, being the first of those Six Earls who were created against His Majesty's Coronation.

This Year the Chancellor's Conduct was blamed in the Affair of Marriage between our King and the Infanta of *Portugal*. 'Tis true, his Daughter was married to the Duke

Duke of *York*, then presumptive Heir to the Crown. But that he should be the Contriver of the Match with *Portugal*, in order to bring his Daughter's Children to sit on the Throne, is a great piece of Forgery and Falshood as ever could be put upon a Man. The Age of the Infanta, and the Examples of other Women, overthrow the presumption that she was past bearing of Children. She was much about Three and Twenty and an half when the Marriage was consummated. And for Examples of this kind, her own Mother, the Dutchess of *Braganza*, was older than she at the time when she was delivered of her. *Anne* of *Austria*, eldest Daughter to *Philip* III. of *Spain*, had been married as many Years, within a few Months, as Queen *Catharine* was old at the time of her Marriage, before she had *Lewis* XIV. the present *French* King, who was the first Child she had.

It was another great weakning to the Lord Chancellor's Interest and Stability at Court, that Mr. Secretary *Nichols* was put out of his Office of Secretary of State, *Octob.* 2. 1662. and that Sir *Henry Bennet*, afterwards Earl of *Arlington*, no real Friend of the Chancellor's, and one that at length died a Papist, was put into his place. But the greatest Storm many times proceeds from the most unexpected Quarter. There had been a long course of uninterruted Friendship, both at Home and Abroad, in a prosperous and adverse Fortune, between *George* Earl of *Bristol*, and the Earl of *Clarendon*; so that the same seemed to be like the *Gordian*-Knot, indissoluble. But the Chancellor refusing a small Boon, as the Earl of *Bristol* took it to be, which, 'twas said, was the passing a Patent in favour of a Court Lady, and wherein the Chancellor, who was best Judge of his own Office, was certainly in the right; this so sowr'd the other's Spirits, as never imagining he should be denied, that his Thoughts, from thenceforwards, suggested nothing to him but Revenge. And having digested all things, within himself, which he imagined might tend to the Disadvantage and ruin of the Chancellor, after a bitter and artful Speech, he exhibited Articles of High Treason and other Misdemeanors against him in the House of Lords, on the 10th of *July*, 1663. But the Lord Chancellor was cleared from this Impeachment by the Judges and the House of Peers. This Earl of *Bristol*, who thus impeached the Chancellor, was that Lord *Digby* so often mentioned in the *History of*

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the Rebellion, who, upon the Deceaſe of his Father in *France*, *Anno* 1654, came to be Earl of *Biſtol*.

This bold Attack upon the Chancellor, tho' he came off with Honour, render'd him more Cautious and Circumſpect in his Conduct; ſo that things, in all outward appearance, went ſmoothly on for ſome time; till the *Dutch* War broke out, which the Libellers of that Age made to be one of his heinous Crimes, though he abhorred it.

After the Concluſion of this War, the Chancellor's Fall came on apace. The King muſt part with his beſt Counſellor, moſt ſincere Friend, and Companion of his Fortunes, for a new Set of Favourites who had much leſs Skill in managing the Reins of Government. As ſoon as ever the Great-Seal was taken from him, which was on the 30th of *Auguſt*, 1667, it is incredible with what Rage and Fury his Enemies fell upon him. When the Parliament met on the 10th of *October*, Both Houſes thanked His Majeſty for having removed the Earl of *Clarendon* from his Office. And Mr. *Edward Seymour* charged his Lordſhip, *viva voce*, with many Great Crimes.

The Earl ſeeing no hopes of allaying this Storm ſo raiſed againſt him, thought it moſt adviſable to withdraw himſelf, and only to leave behind him ſome written Vindication of his Innocence and Honour; which he did in a Paper thus Intituled:

To the Right Honourable the Lords Spiritual and Temporal in Parliament aſſembled, the Humble Petition and Addreſs of *Edward* Earl of *Clarendon*.

May it pleaſe Your Lordſhips,

I Cannot expreſs the inſupportable Trouble and Grief of Mind I ſuſtain under the Apprehenſion of being miſrepreſented to your Lordſhips; and when I hear how much of your Lordſhips Time hath been ſpent upon the mention of me, as it is attended with more publick Conſequences, and of the differences of Opinion which have already, or may probably ariſe between your Lordſhips and the Honourable Houſe of Commons, whereby the great and weighty Affairs of the Kingdom may be obſtructed in the time of ſo general a diſſatisfaction.

I am very unfortunate to find myſelf ſuffer ſo much under

ler two very disadvantageous Reflexions, which are in no Degree applicable to me.

The First, *from the greatness of my Estate and Fortune, collected and made in so few Years, which, if it be proportionable to what is reported, may very reasonably cause my Integrity to be suspected.*

The Second, *That I have been the sole Manager and chief Minister in all the Transactions of State, since the King's Return into* England, *to* August *last; and therefore that all Miscarriages and Misfortunes ought to be imputed to me and my Counsels.*

Concerning my Estate, *your Lordships will not believe that after Malice and Envy have been so inquisitive and so sharp-sighted, I will offer any thing to your Lordships but what is exactly true; and I do assure your Lordships, in the first place, that (excepting from the King's Bounty) I have never received nor taken one Peny but what was generally understood to be the just lawful Perquisites of my Office, by the constant Practice of the best Times, which I did, in my own Judgment, conceive to be that of my Lord* Coventry *and my Lord* Elsmere; *the Practice of which I constantly observed, altho' the Office, in both their Times, was lawfully worth double to what it was to me, and I believe now is. That all the Courtesies and Favours which I have been able to obtain from the King for other Persons, in Church or State, or in* Westminster-Hall, *have never been worth to me Five Pounds. So that your Lordships may be confident I am as innocent from Corruption as from any disloyal Thought; which, after near 30 Years Service of the Crown in some Difficulties and Distresses, I did never expect would be objected to me in my Age. And I do assure your Lordships, and shall make it very manifest, that the several Sums of Money, and some Parcels of Land which His Majesty hath bountifully bestow'd upon me since his Return into* England, *are worth more than all I have amounts unto: So far am I from advancing my Estate by indirect means. And tho' this Bounty of his hath very far exceeded my Merit or Expectation, yet some others have been as fortunate, at least, in the same Bounty, who had as small Pretences to it, and have no great reason to envy my Condition.*

Concerning the other Imputation of the Credit *and Power of being* Chief-Minister, *and so causing all to be done that*

I had a mind to, I have no more to say, than that I have had the good Fortune to serve a Master of a very great Judgment and Understanding, and to be always join'd with Persons of great Ability and Experience, without whose Advice and Concurrence never any thing hath been done.

Before His Majesty's coming into England, *he was constantly attended by the then Marquis of* Ormond, *the late Lord* Culpeper, *and Mr. Secretary* Nicholas, *who were equally trusted with myself, and without whose joint Advice and Concurrence, when they were all present (as some of them always were) I never gave any Counsel. As soon as it pleased GOD to bring His Majesty into* England, *he established his Privy-Council, and shortly out of them he chose a number of Honourable Persons of great Reputation, (who for the most part are still alive) as a Committee for Foreign Affairs, and Consideration of such things as in the Nature of them required much Secrecy; and with these Persons he vouchsafed to join me: And I am confident this Committee never transacted any thing of* Moment *(His Majesty being always present) without presenting the same first to the Council-Board; and I must appeal* to them *concerning my Carriage, and whether we were not all of one Mind in* Matters of Importance.

For more than Two Years I never knew any Differences in the Councils, or that there were any Complaints in the Kingdom; which I wholly impute to His Majesty's great Wisdom, and the entire *Concurrence of his Counsellors, without the* Vanity *of assuming any thing to my self: And therefore I hope I shall not be singly charged with any thing that hath since fallen out amiss. But from the time Mr. Secretary* Nicholas *was removed from his Place, there were* great Alterations: *And whosoever knew any thing of the Court and Councils, know well how much my* Credit *hath since that time been diminished; though His Majesty graciously vouchsafed still to hear my Advice in most of his Affairs. Nor hath there been, from* that *time to* this *above one or two Persons brought to the* Council, *or preferred to any considerable Office in the Court, who have been of my* intimate Acquaintance, *or suspected to have any Kindness for me; and most of them most notoriously* known *to have been very long my* Enemies, *and of different* Judgment *and* Principles *from me, both in* Church *and* State

State; *and have taken all* Opportunities *to leſſen my Credit with the* King, *and with all other* Perſons, *by* miſrepreſenting *and* miſreporting *all that I ſaid or did; and perſwading Men I have done them ſome Prejudice with His Majeſty, or croſſed them in ſome of their Pretentions; tho' His Majeſty's Goodneſs and Juſtice was ſuch that it made little Impreſſion upon him.*

In my humble Opinion, the great Misfortunes *of the Kingdom have proceeded from the War, to which it is notoriouſly known that I was always moſt averſe, and may without Vanity ſay, I did not only foreſee, but declare the Miſchiefs we ſhould run into, by entring into a War before any* Alliances *made with the Neighbouring Princes: And that it may not be imputed to His Majeſty's want of Care, or the Negligence of his* Counſellors, *that no ſuch* Alliances *were enter'd into, I muſt take the boldneſs to ſay, His Majeſty left nothing unattempted in order thereunto, knowing this well, that* France *reſolved to begin a War upon* Spain, *as ſoon as His Catholick Majeſty ſhould depart this World; which being much ſooner expected by them, they had in the Two Winters before, been at great Charges in providing plentiful Magazines of all Proviſions upon the Frontiers, that they might be ready for the War: His Majeſty uſed all poſſible Means to prepare and diſpoſe the* Spaniard *with that Apprehenſion, offering his* Friendſhip *to that Degree as might be for the Benefit and Security of both Crowns.*

But Spain *flattering itſelf that* France *would not break with them, at leaſt that they would not give them any Cauſe, by adminiſtring Matter of Jealouſy to them, never made any real Approach towards a Friendſhip with His Majeſty; but both by their Ambaſſadors here, and to His Majeſty's Ambaſſador at* Madrid, *always perſiſted, as Preliminaries, upon the giving up of* Dunkirk, Tangier, *and* Jamaica.

Tho' France *had an Ambaſſador here, to whom a Project of a Treaty was offer'd, and the Lord* Hollis, *His Majeſty's Ambaſſador at* Paris, *uſed all Endeavours to purſue and proſecute the ſaid Treaty, yet it was quickly diſcern'd, that the principal Deſign of* France *was to draw His Majeſty into ſuch a nearer Alliance as might advance their Deſign, without which they had no mind to enter into the* Treaty *propoſed. And this was the State of Affairs,*

when the War was enter'd into with the Dutch, *from which time neither Crown much conſider'd making any Alliance with* England.

As I did from my Soul abhor the entring into this War, ſo I preſumed never to give any Advice or Counſel for the way of managing it, but by oppoſing many Propoſitions *which ſeemed to the late Lord Treaſurer and myſelf to be unreaſonable; as the Payment of the* Seamen *by* Tickets, *and many other Particulars which added to the Expence; my Enemies took all Occaſions to inveigh againſt me, and making their Friendſhip with others out of the Council, of more Licentious Principles, and who knew well enough how much I diſlik'd and complain'd of the Liberty they took to themſelves of reviling all Counſels and Counſellors, and turning all things Serious and Sacred into Ridicule; they took all ways imaginable to render me* ungrateful *to all ſorts of Men (whom I ſhall be compell'd to name in my* Defence) *perſwading thoſe who miſcarried in any of their* Deſigns, *that it was the* Chancellor's *doing; whereof I never knew any thing. However, they could not withdraw the* King's *Favour from me, who was ſtill pleaſed to uſe my Service with others; nor was there ever any thing done but with the* joint Advice *of at leaſt the major part of thoſe who were conſulted with. And as His Majeſty commanded my Service in the late* Treaties, *ſo I never gave the leaſt Advice in private, nor wrote one Letter to any one Perſon in either of thoſe* Negotiations, *but upon the Advice of the Council, or at leaſt by the King himſelf, and ſome others. And if I prepared any* Inſtructions *or* Memorials, *it was by the* King's *Command, and the Requeſt of the* Secretaries *who deſired my Aſſiſtance: Nor was it any Wiſh of my own that any Ambaſſador ſhould give me any* Account *of the* Tranſactions, *but to the* Secretaries, *to whom I was always ready to adviſe: Nor am I conſcious to myſelf of ever having given Advice that hath proved* Miſchievous *or* Inconvenient *to His Majeſty. And I have been ſo far from being the ſole* Manager *of Affairs, that I have not in the whole laſt Year been above twice with His Majeſty in an Room alone, and very ſeldom in the Two or Three Years preceding. And ſince the* Parliament *at* Oxford *it hath been very viſible that my Credit hath been very little, and that very few things have been hearken'd to, which have been propoſed by me, but contradicted,* eo nomine, *becauſe oppoſed by me.*

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I moſt humbly beſeech your Lordſhips to remember the Office and Truſt I had for Seven Years, in which, in diſcharge of my Duty, I was obliged to ſtop and obſtruct many Mens Pretences, *and refuſed to ſet the Seal to many* Pardons *and other* Grants *which would have been profitable to thoſe who procured them; and many whereof, upon my* Repreſentation *to His Majeſty, were for ever ſtopt, which naturally has raiſed many Enemies to me. And my frequent concurring, upon the Deſires of the late Lord Treaſurer (with whom I had the Honour to have a long and vaſt Friendſhip till his Death) in* repreſenting *ſeveral* Exceſſes *and* Exorbitances, *the yearly* Iſſue *ſo far exceeding the* Revenues, *provoked many Perſons concern'd, of great Power and Credit, to do me all the ill Offices they could. And yet I may faithfully ſay, that I never medled with any part of the* Revenue, *or the* Adminiſtration *of it, but when I was deſired by the late Lord Treaſurer to give him my* Aſſiſtance *and* Advice, *having had the Honour formerly to ſerve the Crown as* Chancellor *of the* Exchequer, *which was, for the moſt part, in His Majeſty's Preſence. Nor have I ever been in the leaſt Degree concern'd, in point of Profit, in Letting any part of His Majeſty's* Revenue, *nor have ever treated or debated it but in His Majeſty's Preſence, in which my* Opinion *concurr'd always with the major part of the Counſellors who were preſent.*

All which, upon Examination, *will be made manifeſt to your Lordſhips, how much ſoever my Integrity is blaſted by the Malice of thoſe who, I am confident, do not believe themſelves. Nor have I, in my Life, upon all the* Treaties, *or otherwiſe, received the Value of one Shilling from all the Kings or Princes in the World (excepting the Books of the* Louvre *Print, ſent me by the Chancellor of* France, *by that King's Direction) but from my own Maſter, to whoſe entire Service, and the Good and Welfare of my Country, no Man's Heart was ever more devoted.*

This being my preſent Condition, *I do moſt humbly beſeech your Lordſhips to entertain a favourable Opinion of me, and to believe me to be innocent from thoſe foul* Aſperſions, *until the contrary ſhall be proved, which I am ſure can never be by any Man worthy to be believed.*

And ſince the Diſtempers of the Times, and the Difference between the Two Houſes in the preſent Debate, with the Power and Malice of my Enemies, who gave out that

I ſhould prevail with His Majeſty to prorogue or diſſolve this Parliament *in Diſpleaſure, and threaten to expoſe me to the Rage and Fury of the People, may make me to be look'd upon as the Cauſe which obſtructs the* King's *Service, and Unity and Peace of the Kingdom:*

I moſt humbly beſeech your Lordſhips, that I may not forfeit your Lordſhips Favour and Protection, by withdrawing myſelf from ſo powerful a Perſecution, in hope that I may be able, by ſuch withdrawing, hereafter to appear and make my Defence, when His Majeſty's Juſtice (to which I ſhall always ſubmit) may not be obſtructed or controuled by the Power and Malice of thoſe who have ſworn my Deſtruction.

CLARENDON.

This Anſwer was voted Seditious, and order'd to be burnt by the Hands of the common Hangman; which was done accordingly: And a Bill paſt Both Houſes for Baniſhing and Diſabling the Earl of *Clarendon*, which, on the 19th of *December* had the Royal Aſſent by Commiſſion.

Soon after the Earl's Diſgrace and Exile, 'tis certain that Popery began to appear more barefac'd than ever. It is not to be doubted but his Lordſhip knew that the Duke of *York* had a long time been Popiſhly affected: A Hint of it he ſeems to give us in his Hiſtory. And therefore when he heard the certain, but diſmal News of his Daughter the Dutcheſs of *York*'s having embraced the *Roman* Catholick Religion, he very artfully wrote to His Royal Highneſs about it, as if he had been ſtill a ſincere Proteſtant; and his Letter is ſo juſtly and judiciouſly penn'd, that it cannot but merit a Place here, and be an Ornament to his Life.

SIR,

I Have not preſumed in any manner to approach Your Royal Preſence, ſince I have been mark'd with the Brand of Baniſhment: And I would ſtill with the ſame Awe forbear this Preſumption, if I did not believe myſelf bound by all the Obigations of Duty, to make this Addreſs to you. I have been too much acquainted with the Preſumption and Impudence of the Times, in raiſing falſe and ſcandalous Reproaches upon innocent and worthy Perſons, of all Qualities and Degrees, to give Credit to thoſe bold Whiſpers which have been too long ſcatter'd abroad concerning your Wife'

Wife's being ſhaken in her Religion. But when thoſe Whiſpers break out into Noiſe, and Publick Perſons begin to report that the Dutcheſs *is become a* Roman Catholick: *When I heard that many Worthy Perſons of unqueſtionable Devotion to your Royal Highneſs, are not without ſome fear and apprehenſion of it; and many Reflections are made from thence to the Prejudice of your Royal Perſon, and even of the King's Majeſty; I hope it may not miſbecome me, at what Diſtance ſoever, to caſt myſelf at your Feet, and beſeech you to look to this Matter in time, and to apply ſome Antidote to expel the Poyſon of it. It is not poſſible your Royal Highneſs can be without Zeal and entire Devotion for that Church, for the purity and preſervation whereof your Bleſſed Father made himſelf a Sacrifice; and to the Reſtoration whereof you have contributed ſo much yourſelf, and which highly deſerves the King's Protection and yours, ſince there can be no poſſible defection in the Hearts of the People, while due Reverence is paid to the Church. Your Wife is ſo generally believed to have ſo perfect Duty and entire Reſignation to the Will of Your Highneſs, that any Defection in her from her Religion, will be imputed to want of Circumſpection in you, and not uſing your Authority; or to your Connivance. I need not tell the ill Conſequence that ſuch a Mutation will be attended with, in reference to your Royal Highneſs, and even to the King himſelf, whoſe greateſt Security (under GOD) is the Affection and Duty of his Proteſtant Subjects. Your Royal Highneſs well knows how far I have always been from wiſhing that the* Roman Catholicks *ſhould be proſecuted with Severity; but I leſs wiſh it ſhould ever be in their Power to be able to proſecute thoſe that differ from them, ſince we well know how little Moderation they would or could uſe.*

And if this which People ſo much talk of (I hope without ground) ſhould fall out, it might very probably raiſe a greater Storm againſt the Roman Catholicks *in general, than modeſt Men can wiſh; ſince after ſuch a Breach, any Jealouſy of their Preſumption would ſeem reaſonable. I have written to the Dutcheſs with the freedom and affection of a troubled and perplexed Father. I do moſt humbly beſeech your Royal Highneſs, by your Authority, to reſcue her from bringing a Miſchief upon you and herſelf, that never can be repaired; and to think it worthy your Wiſ-*

dom to remove and dispel those Reproaches (how false soever) by better Evidence than Contempt; and I hope you do believe, that no Severity I have or can undergo, shall in any degree lessen or diminish my most profound Duty to His Majesty or your Royal Highness, but that I do with all imaginable Obedience submit to your good pleasure in all things.

GOD preserve your Royal Highness, and keep me in your Favour.

SIR,
Your Royal Highness's most Humble
and Obedient Servant,

CLARENDON.

Another he writ to the Dutchess upon the same Subject; wherein, tho' he shews a very commendable Distance and Respect, upon account of the difference of their Conditions, yet he uses the Freedom and Authority, as well as the Tenderness of a Father.

YOU have much reason to believe, that I have no mind to trouble you or displease you, especially in an Argument that is so unpleasant and grievous to myself. But as no distance of Place that is between us, in respect of our Residence, or the greater distance in respect of the High Condition you are in, can make me less your Father, or absolve me from performing those Obligations which that Relation requires from me; so when I receive any credible Advertisement of what reflects upon you in point of Honour, Conscience, or Discretion, I ought not to omit the informing you of it, or administring such Advice to you, as to my Understanding seems reasonable, and which, I must still hope, will have some Credit with you. I will confess to you, that what you wrote to me many Months since, upon those Reproaches which I told you were generally reported concerning your defection in Religion, gave me so much Satisfaction, that I believed them to proceed from that ill Spirit of the Time that delights in Slanders and Calumny. But I must tell you, the same Report increases of late very much; and I my self saw a Letter the last

Week

Week from Paris, *from a Perſon who ſaid the* Engliſh *Ambaſſador aſſured him the Day before, that the Dutcheſs was become a* Roman Catholick: *And* (*which makes greater Impreſſion upon me*) *I am aſſured, that many good Men in* England, *who have great Affection for you and me, and who have thought nothing more impoſſible, than that there ſhould be ſuch a Change in you, are at preſent under much Affliction with the Obſervation of a great Change in your Courſe of Life, and that conſtant Exerciſe of Devotion which was ſo notorious; and do apprehend from your frequent Diſcourſes, that you have not the ſame Reverence and Veneration, which you uſed to have for the Church of* England, *the Church in which you were baptized, and the Church the beſt conſtituted, and the moſt free from Errors of any Chriſtian Church this Day in the World: And that ſome Perſons, by their Inſinuations, have prevailed with you to have a better Opinion of that which is moſt oppoſite to it, the Church of* Rome, *than the Integrity thereof deſerves. It is not yet in my Power to believe, that your Wit and Underſtanding* (*with GOD's Bleſſing upon both*) *can ſuffer you to be ſhaken further than with Melancholick Reflections upon the Iniquity and Wickedneſs of the Age we live in, which diſcredits all Religion, and which, with equal Licenſe, breaks into the Profeſſors of all, and prevails upon the Members of all Churches, and whoſe Manners will have no Benefit from the Faith of any Church.*

I preſume you do not entangle yourſelf in the particular Controverſies between the Romaniſts *and us, or think yourſelf a competent Judge of all Difficulties which occur therein; and therefore it muſt be ſome fallacious Argument of Antiquity and Univerſality, confidently urged by Men who know leſs than many of thoſe you are acquainted with, and ought leſs to be believed by you, that can raiſe any Doubts or Scruples in you. And if you will with equal Temper hear thoſe who are well able to inform you in all ſuch Particulars, it is not poſſible for you to ſuck in that Poyſon, which can only corrupt and prevail over you, by ſtopping your own Ears, and ſhutting your own Eyes. There are but Two Perſons in the World who have greater Authortty with you than I can pretend to; and I am ſure they both ſuffer more in this Rumour, and would ſuffer much more, if there were Ground for it, than I can do:*

And

And truly I am as unlikely to be deceived my self, or to deceive you, as any Man who endeavours to pervert you in your Religion. *And therefore I beseech you let me have so much Credit with you, as to persuade you to communicate any Doubts or Scruples which occur to you, before you suffer them to make too deep an Impression upon you. The common Argument,* That there is no Salvation out of the Church, *and,* That the Church of *Rome* is that only true Church, *is both irrational and untrue. There are many Churches in which Salvation may be attained; and were many, even in the Apostles Time, otherwise they would not have directed their Epistles to many several Churches, in which there were different Opinions received, and very different Doctrines taught. There is indeed but one Faith in which we can be saved,* The stedfast Belief of the Birth, Passion, and Resurrection of our Saviour; *and every Church that receives and embraces that Faith, is in a State of Salvation. If the Apostles preached true Doctrine, the reception and retention of many Errors doth not destroy the Essence of a Church: If it did, the Church of* Rome *would be in as ill, if not in a worse Condition, than most other Christian Churches, because its Errors are of a greater Magnitude, and more destructive to Religion. Let not the canting Discourse of the* Universality and Extent of that Church, *which has as little of Truth as any of the rest, prevail over you. They who will imitate the greatest part of the World must turn Heathens; for it is generally believed that above half the World is possessed by them, and that the* Mahometans *possess more than half the Remainder: There is as little question, that of the rest which is inhabited by Christians, one part of four is not of the Communion of the Church of* Rome; *and, GOD knows, in that very Communion there is as great Discord in Opinion, and in Matters of as great Moment, as is between the other Christians.*

I hear you do in publick Discourses dislike some things in the Church of England, *as the Marriage of the Clergy; which is a Point that no* Roman Catholick *will pretend to be of the Essence of Religion, and is in use in many places which are of the Communion of the Church of* Rome; *as in* Bohemia, *and those parts of the* Greek *Church which submit to the* Roman. *And all Men know, that in the late Council of* Trent, *the Sacrament in both Kinds, and liberty*

berty for the Clergy to marry, was very passionately pressed, both by the Emperor and the King of France, *for their Dominions; and it was afterwards granted for* Germany, *tho' under such Conditions as made it ineffectual: Which however shews, that it was not, nor ever can be looked upon as a matter of Religion. Christianiiy was many hundred Years old, before such a Restraint was ever heard of in the Church; and when it was endeavoured, it met with great Opposition, and was never submitted to. And as the positive Inhibition seems absolutely unlawful, so the Inconveniencies which result from thence, will, upon a just disquisition, be found superior to those which attend the liberty which Christian Religion permits. Those Arguments which are not strong enough to draw Persons from the* Roman *Communion into that of the Church of* England, *when Custom and Education, and a long stupid Resignation of all their Faculties to their Teachers, usually shut out all Reason to the contrary, may yet be abundant to retain those who have been baptized, and bred and instructed in the Grounds and Principles of that Religion, which are, in truth, not only founded upon the clear Authority of the Scriptures, but upon the Consent of Antiquity, and the Practice of the Primitive Church; and Men who look into Antiquity, know well by what Corruption and Violence, and with what constant and continual Opposition those Opinions which are contrary to ours, crept into the World; and how unwarrantably the Authority of the Bp. of* Rome, *which alone supports all the rest, came to prevail; who hath no more pretence of Authority and Power in* England, *than the Bishop of* Paris *or* Toledo *can as reasonably lay claim to; and is so far from being Matter of Catholick Religion, that the Pope hath so much, and no more to do in* France *or* Spain, *or any other Catholick Dominion, than the Crown, and Laws, and Constitutions of several Kingdoms gave him leave; which makes him so little (if at all) consider'd in* France, *and so much in* Spain. *And therefore the* English Catholicks *which attribute so much to him, make themselves very unwarrantably of another Religion than the Catholick Church professeth; and, without doubt, they who desert the Church of* England, *of which they are Members, and become thereby disobedient to the Ecclesiastical and Civil Laws of their Country, and therein renounce their Subjection to the State as well as to the Church (which are*

grie-

grievous Sins) *had need have a better Excuse than the meeting with some Doubts which they could not answer; and less than a manifest Evidence, that their Salvation is desperate in that Communion, cannot serve their Turn. And they who imagine they have such an Evidence, ought rather to suspect that their Understanding hath forsaken them, and that they are become mad, than that the Church, which is repleniſhed with all Learning and Piety requiſite, can betray them to Perdition. I beseech you to consider, (which I hope will lover-rule those ordinary Doubts and Objections which may be infused into you) that if you change your Religion, you renounce all Obedience and Affection to your Father, who loves you so tenderly, that such an odious Mutation would break his Heart: You condemn your Father and your Mother (whose incomparable Virtue, and Piety, and Devotion have placed her in Heaven) for having impiously educated you; and you declare the Church and State, to both which you owe Reverence and Subjection, to be in your Judgment Antichriſtian. You bring irreparable Diſhonour, Scandal, and Prejudice to the Duke your Huſband, to whom you ought to pay all imaginable Duty, and who, I presume, is much more precious to you than your own Life; and all possible Ruin to your Children, of whose Company and Converſation you muſt look to be deprived; for, GOD forbid, that after such an Apoſtacy, you ſhould have any Power in the Education of your Children. You have many Enemies, whom you herein would abundantly gratify; and some Friends, whom you will thereby (at leaſt as far as in you lies) perfectly deſtroy; and afflict many others who have deſerved well of you.*

I know you are not inclined to any part of this Miſchief, and therefore offer those Conſiderations, as all those Particulars would be the infallible Conſequence of ſuch a Concluſion. It is to me the ſaddeſt Circumſtance of my Baniſhment, that I may not be admitted, in ſuch a Seaſon as this, to confer with you; when I am confident I could ſatisfy you in all your Doubts, and make it appear to you, that there are many Abſurdities in the Roman *Religion inconſiſtent with your Judgment and Underſtanding, and many Impieties inconſiſtent with your Conſcience; ſo that before you can ſubmit to the Obligations of Faith, you muſt diveſt yourſelf of your natural Reaſon and common Senſe, and captivate the Dictates of your own Conſcience to the Impoſitions*

ſitions of an Authority which hath not any pretence to oblige or adviſe you. If you will not with freedom communicate the Doubts which occur to you, to thoſe near you, of whoſe Learning and Piety you have had much Experience, let me conjure you to impart them to me, and to expect my Anſwer before you ſuffer them to prevail over you.

GOD bleſs You and Yours.

This Great Man, in the Time of his Exile, ſojourned in ſeveral Parts of *France*, till the Year 1674, where, on the 7th of *December*, he departed this Life, near *Roan*, the Capital City of the Province of *Normandy*; from whence his Body was conveyed into *England*, and buried on the North-ſide of *Capella Regum* in *Weſtminſter-Abby*.

It was the Fate of this noble Earl, not only to be ill ſpoken of, and barbarouſly treated in his Life-time, but even after Death; and that not only by the Populace, who run away with vulgar Notions and Errors, and are very fond of Defamation, but even by ſome of ſuperior Rank and Learning. Mr. *Antony a-Wood*, in his *Athenæ Oxonienſes*, branded him with Corruption and ill Practices while he was Lord Chancellor and Miniſter of State. Whereupon the Univerſity of *Oxford* generouſly vindicated their once Honoured Chancellor; and made this following Order againſt that Writer; which was publickly printed in Form following:

"On the 29th of *July*, 1693, Mr. *Antony a-Wood* was "condemned in the Chancellor's Court of the Univerſity of "*Oxford*, for having written and publiſhed, in the ſecond "Volume of his Book, entituled, *Athenæ Oxonienſes*, di-"vers infamous Libels againſt the Earl of *Clarendon*, and "was therefore baniſhed the ſaid Univerſity, until ſuch "time as he ſhould ſubſcribe ſuch a publick Recantation as "the Judge of the Court ſhould approve of, and give Se-"curity not to offend in the like Nature for the future; and "his ſaid Book [that is, ſuch Sheets as contained Reflections "on his Lordſhip] was order'd to be burnt before the pub-"lick Theater; and the ſame Day it was burnt accordingly, "and publick Programmas of his Expulſion were fixed in "the Three uſual Places.

The

The Earl (as was noted before) had a principal Hand in the Declarations, Letters, and Speeches of King *Charles* II. in his Exile and afterwards. Beſides which he wrote ſeveral Tracts; as,

A Full Anſwer to an Infamous and Traiterous Libel, entituled, A Declaration of the Commons of *England* in Parliament aſſembled, expreſſing their Reaſons and Grounds of paſſing their late Reſolutions touching no further Addreſs or Application to be made to the King. *London.* 1648. 4*to.*

The Difference and Diſparity between the Eſtates and Conditions of George *Duke of* Buckingham *and* Robert *Earl of* Eſſex. *See in* Reliquiæ Wottonianæ, &c. *Lond.* 1672. 8*o,*

Animadverſions on a Book, entituled, Fanaticiſm fanatically imputed to the Catholick Church by Dr. *Stillingfleet,* and the Imputation refuted and retorted by *Ser. Creſſy.* Lond. 1674. 8*o.*

A brief View and Survey of the dangerous and pernicious Errors to Church and State in Mr. Hobbs's *Book,* The Leviathan. Oxon. 1676. 4*to.*

The Hiſtory of the Rebellion and Civil Wars in England, *begun in the Year* 1641. *With the precedent Paſſages and Actions that contributed thereunto, and the happy End and Concluſion thereof, by the King's bleſſed Reſtoration and Return, upon the 29th of* May, 1660. 3 Vol. Folio. Oxon. 1704. And ſince Printed there in 8*o.*

He left in Manuſcript, A Hiſtory, or Hiſtorical Account of *Ireland*; made uſe of by *Edmund Borlace,* without Acknowledgment, in his Book or Books publiſhed of the Affairs of that Kingdom.

An

An Account of the ſeveral Battles, Sieges, &c. mention'd in the Lord *Clarendon*'s Hiſtory, to which theſe Pages refer.

A.

ABingdon, 5 *Miles S. of* Oxford, *quitted by the King's Forces, and poſſeſſed by the Earl of* Eſſex. II. 485.
Alresford *in* Hampſhire, *the midway between* Wincheſter *and* Farnham, *Battle there.* II. 474.
Alton *in* Hampſhire, *near* Alresford, *Skirmiſh there.* II. 472.
Aſh-Burton *in* Devonſhire, *Battle there.* II. 711.

B.

Banbury-*Caſtle*, Oxfordſhire, *ſurrender'd to the King.* II. 57. *Reliev'd by the Earl of* Northampton. II. 544.
Barnſtable, Devonſhire, *ſurrender'd to Sir* John Digby. II. 338.
Baſing-*Houſe*, Hampſhire, *reliev'd by Col.* Gage, II. 527. *taken by* Cromwel, II. 742.
Bath *in* Somerſetſhire, *taken by the King's* Corniſh *Forces*, II. 293.
Bradock-*Down near* Liſkard *in* Cornwal, *not far off* Bodmin *or* Launceſton, *Battle there.* II. 133.
Bedford, *the Capital of* Bedfordſhire, *taken by Prince* Rupert. II. 392.
Bediford *in* Devonſhire, *ſurrender'd to Sir* John Digby, II. 338.
Berwick, Northumberland, *deliver'd to the Parliament*, III. 171.
Boſtal-*Houſe*, *on the Edge of* Oxfordſhire *and* Buckinghamſhire, *ſurrender'd to the King's Party.* II. 493.
Bridgewater, Somerſetſhire, *taken by the Marquis of* Hertford. II. 276. *By Sir* Tho. Fairfax, II. 678.
Briſtol (*City*) *beſieged by Prince* Rupert, II. 293. *ſurrender'd to him*, 296. *deliver'd up by him*, 690.
Bromicham, Warwickſhire, *taken by Prince* Rupert, II. 233.

Carliſle,

C.

Carliſle, Cumberland, *deliver'd to the Parliament*, III. 171.
Chalgrave-*Field*, Oxfordſhire, *the Action there*. II. 262.
Cheſter (*City*) *Battle there*, II. 712. *Taken by* Lambert, III. 673.
Chicheſter (*City in* Suſſex) *poſſeſſed by the King's Forces*. II. 126.
Cirenceſter, Gloceſterſhire, *won by the King's Forces*, II. 127.
Colcheſter, Eſſex, *deliver'd*, III. 176.
Cropedy-*Bridge*, Northamptonſhire, *Battle there*, II. 497.

D.

Dartmouth, Devonſhire, *taken by Prince* Maurice, II. 397.
Devizes, Wiltſhire, *beſieg'd by Sir* W. Waller, II. 286.
Donnington-*Caſtle*, *about a Mile off* Newbury *in* Berkſhire, *beſieged*, II. 543.
Dorcheſter, *Capital of* Dorſetſhire, *ſurrender'd to the King's Forces*, II. 335.
Drogheda *in* Ireland, *within twenty Miles of* Dublin, *taken by Storm*.
Dublin *in* Ireland, *blocked up by the Marquis of* Ormond, III. 319.
Dunbar *in* Scotland, *Battle there*.
Dunkirk *in* Flanders, *Battle there*, III. 643.
Dunſtar-*Caſtle*, *near* Taunton *and* Bridgewater, Somerſetſhire, *taken by the Marquis of* Hertford, II. 276.

E.

Edge-hill-*Fight in* Warwickſhire, II. 44.
Eveſham, Worceſterſhire, *taken by the Parliament Forces*, II. 651.
Exeter (*City*) *deliver'd to Prince* Maurice, II. 339.

F.

Farnham-*Caſtle in* Surrey, *ſurrender'd to the Lord* Hopton, II. 471. *retaken by Sir* Will. Waller, 472.

G.

Gloceſter (*City*) *beſieged by the King*, II. 317.
Grantham, Lincolnſhire, *taken by the King's Party*, II. 144.

H.

Hereford (*City*) *taken by Sir* Will. Waller, II. 154 & 232.
Hopton-*Heath*, *near* Stafford, *Battle there*, II. 151.

K.

King CHARLES *the Second's Eſcape from* Worceſter-*Fight.*
1. *He ſav'd himſelf in the Wood call'd* Boſcobel, III. 410, 413.
2. *Thence he went to a Cottage nine Miles off, out of the Road, where he lay in a Barn.*
3. *Thence to another Houſe twelves Miles off.*
4. *Thence to another, and ſo to others.*
5. *Thence to Mr.* Lane's *in* Staffordſhire.
6. *Thence to Mr.* Norton's *within four Miles of* Briſtol. *He was oblig'd to paſs quite through the ſaid City.*
7. *Next to Colonel* Francis Windham's.
8. *Thence to an Inn near* Lyme, *in order to embark for* France; *but the Ship fail'd by an Accident. Here the King had like to have been diſcover'd by a Smith.*
9. *Returns back to Colonel* Windham's.
10. *Paſſes through* Wiltſhire, *to a place near* Saliſbury, *call'd* Heale, *a Seat of the* Hides.
11. *Thence to* Stone-henge.
12. *Thence to* Bright-hemſted, *where he went on Board a little Bark, and arrived ſafe in* Normandy. *See the Tract in the Map, with a Red Line.*

Keynton, *or* Edge-Hill, *Battle there*, II, 44.

L.

Lamport *near* Taunton, Somerſetſhire, *Battle near it*, II. 670.
Lanſdown *near* Marsfield *in* Gloceſterſhire, *Battle there*, II. 282.
Leiceſter, *Capital of* Leiceſterſhire, *ſtorm'd and taken by the King*, II. 652.
Litchfield-*Cloſe*, Staffordſhire, *taken by Sir* John Gell, II. 149. *by Prince* Rupert, 235.
Limrick *in* Ireland, *a Mutiny* there, III. 431.
Lyme, Dorſetſhire, *reliev'd by the Earl of* Eſſex, II. 495
Lynne, Norfolk, *a Deſign of ſurprizing it*, III. 666.

M.

Marlborough-*Gariſon*, Wiltſhire, *taken by the King's Forces*, II. 83.
Marſton-Moor-*Fight*, *within a few Miles of* York, II. 50

N.

Nantwich, Cheſhire, *Battle there*, II. 457.
Naſeby *near* Harborough, Leiceſterſhire, *Battle there*, 656.
Newark, Nottinghamſhire, *relieved by Prince* Rupert, 456.
Newbury, Berkſhire, *Battle the firſt*, II. 347. *the ſecond*, 546.

O.

Oxford (*City*) *beſieg'd*, II. 486, 649.

P.

Pendennis-*Caſtle*, Cornwal, *ſurrender'd to the Parliament*, III. 39.
Pontefract-*Caſtle*, *in the Weſt-Riding of* Yorkſhire, *beſieg'd*, III. 183, 188, 192.
Portland, Dorſetſhire, *ſurrender'd to the King's Forces*, II. 335.

Portſmouth, Hampſhire, *beſieg'd by the Parliament Forces*, II. 2.
Preſton, Lancaſhire, *a Fight near it*, III. 162.

R.

Ragland-*Caſtle*, Monmouthſhire, *ſurrender'd to the Parliament*, III. 39.
Reading-*Gariſon*, Berkſhire, *deſerts*, II. 70. *beſieg'd*, 222. *ſurrender'd*, 237. *poſſeſſed again by the King*, 348. *quitted again*, 483.
Roundway-*Down*, *two Miles off the* Devizes *in* Wiltſhire, *Fight there*, II. 289.

S.

Saliſbury, Wiltſhire, *a Riſing there*, III. 556.
Salt-aſh, Cornwal, *taken by the King's Forces*, II. 134.
Scarborough-*Caſtle*, Yorkſhire, *delivered up to the Queen*, II. 144.
Shrewſbury, *Capital of* Shropſhire, *taken by the Parliament Forces*, II. 592.
Stafford, *Capital of* Staffordſhire, *Gariſon'd for the King*, II. 149.
Stratton, Cornwal, *a Fight near it*, II. 270.
Sudley-*Caſtle*, Worceſterſhire, *ſurrender'd to Sir* William Waller, II. 490.

T.

Taunton, Somerſetſhire, *taken by the Marquis of* Hertford, II. 275.
Tewkſbury, Gloceſterſhire, *taken by Sir* William Waller, II. 157.
Torrington, Devonſhire, *Battle there*, II. 337.

U.

Uxbridge, Middleſex, *Treaty there*, II. 577.

W.

Weymouth, Dorſetſhire, *ſurrender'd to the King's Forces* II. 335. *to the Earl of* Eſſex, 495. *to Sir* Lewis Dives 592.
Wincheſter, (*City*) *in* Hampſhire, *taken by* Cromwe II. 742.
Worceſter (*City*) *a Rencounter there*, II. 25, *beſieged b Sir* William Waller, II. 232. *Fight*, III. 408.

Y.

York (*City*) *deliver'd to the Parliament Forces*, II. 505.

ADDENI

ADDENDA

To this *Second Edition* of the *Seventh Vol.* to the Lord CLARENDON's Hiſtory.

A Relation of the Battle fought between Keynton *and* Edghill, *by His Majeſty's Army and that of the Rebels. Printed by His Majeſty's Command at* Oxford, *by* Leonard Litchfield, *Printer to the Univerſity*, 1642.

Ruſhworth's Hiſt. Coll. Part III. Vol. II. P. 33.

UPON *Saturday* the 23*d* of *October* 1642, His Majeſty had given Order for the Summoning of *Banbury*, and in Caſe of refuſal, the Beſieging of it with 4000 Foot and four Pieces of Cannon: But that Evening Intelligence was brought, that the Rebels had a Reſolution to relieve it; but it was not ſo certain as to make any change of the former Orders. Yet upon *Sunday*, at Three in the Morning, there came certain Intelligence, that the whole Army of the Rebels were marching with all Expedition thither, and were Quarter'd at *Keynton*, three Miles from *Edghill*. Whereupon the King gave preſent Order for all his Army, both Horſe and Foot, to march with all Expedition to *Edghill*, being four Miles diſtant from his neareſt Quarter. To which Rendezvous the King's Horſe came between Ten and Eleven a Clock in the Morning, and the Van of the Foot came within an Hour after; but the Rear (which happen'd at that time to be the Lord Lieutenant-General's Regiment) with the Artillery, came not within Two Hours after. As ſoon as we came to the top of *Edghill*, which looks upon *Keynton*, we ſaw the Rebels Army drawing out, and ſetting themſelves in Battalia; whereupon the King's

Claren. *Vol.* II. *P.* 44.

Horſe went down the Hill, and ſet themſelves in Order: The Foot likewiſe having Command to come down the Hill and do the like: But before that was done, and the King's Artillery came, it was paſt Two in the Afternoon.

It being perceiv'd that the Rebels had placed ſome Muſqueteers under a Hedge that croſt the Field, where the Encounter was to be made, that flanked upon their Left Wing, there were ſome of the King's Dragooners ſent to beat them off; which they very well perform'd: Whereupon our whole Army advanced in very good Order, the Ordnance of both Sides playing very faſt, but that of the Rebels began firſt. The Charge began between the Two Wings of Horſe, thoſe of the Rebels not ſtanding our Charge a quarter of an Hour before they fled; our Men having the Execution of them for three Miles together, the Horſe of both our Wings routing their Foot as well as their Horſe, and two whole Regiments of their Foot were abſolutely cut off by thoſe of our Left Wing, beſides thoſe put into Diſorder by our Right. Whilſt this was doing, the Bodies of the Foot met the King's Regiment of Guard, and the Earl of *Lindſey*'s, giving the firſt Charge; which was very well diſputed a long time, until the Reſerve of the Rebels Horſe (which had never been Charged) Charged our Foot upon the Flank; which our Foot reſiſted a good while; but at length, not being ſeconded by our Reſerve of Horſe; which, contrary to our Order, thinking the Day was ſurely won, had follow'd the Execution of the Rebels ſo far, that they cou'd not come in time to relieve them, they were put into ſome Diſorder, in which the King's Standard was in danger (the Standard-Bearer being ſlain); and the Lord *Willoughby*, ſeeking to relieve his Father, who fell, being ſhot in the Leg, was, together with his Father, made Priſoner: But the Standard was ſoon reli v'd by the Lieutenant of the Lord *John Steward*'s Troop (Captain *Smith*) being newly return'd from the Execution of the Rebels; the left ſide of our Foot being put into Diſorder, all the reſt gave way. Yet thoſe of the Right were never put into diſorder; but ſeeing ſome of the Cannon in danger to be loſt, advanced again, and made the place good; the Left-hand of the Rebels Foot coming on apace to charge them. By this time the Right Wing of our Horſe was return'd from chaſing the Rebels, and were in ſome Confuſion, becauſe they came from the Execution: But ſeeing our Foot and Cannon in ſome danger to be loſt, by

by reaſon that the Rebels Horſe and Foot (thoſe Horſe which had never been charged) advanced in good Order, to Charge; ours made a ſtand, and ſoon rallied together, having ſome Dragooners with them, and ſo advancing made the Dragooners give them a Volley or two of Shot, which made the Rebels inſtantly retire. By this time it was grown ſo dark, that our chief Commanders durſt not Charge, for fear of miſtaking Friends for Foes; tho' it was certainly concluded by them all, that if we had had Light enough but to have given one Charge more, we had totally routed all their Army. Whereupon both Armies retreated, ours in ſuch Order, that we not only brought off our own Cannon, but four of the Rebels, we retiring to the top of the Hill from whence we came, becauſe of the advantage of the Place; and theirs to the Village where they had been Quarter'd the Night before.

The King, with the whole Body of the Horſe, and thoſe of the Foot which were not broken, quarter'd upon and on one ſide of the Hill, all that Night; and in the Morning, as ſoon as it was Day, drew half the Body of the Horſe into Battalia at the foot of the Hill, and the reſt of the Horſe and the Foot on the top of the Hill, where the Standard was placed: And having notice that three of the Rebels Cannon were left half way between us and their Quarter, ſent out a Body of Horſe and drew them off, they not ſo much as offering to relieve them. So both Armies facing one another all Day, retired at Night to their former Quarters.

The Rebels in this Battel loſt above Seventy Colours of Cornets and Enſigns; we Sixteen Enſigns, but not one Cornet; but our Horſe reliev'd not only the Standard, but divers of our Enſigns.

For the Slain on both Sides the Number is uncertain; yet it is moſt certain that we kill'd five for one. It is true, that their chief Officers having fleeter Horſes than ours, not ſo many of their Foot as ours were ſlain and taken Priſoners, to our Knowledge as yet: But we loſt no Officer of Horſe excepting the Lord *Aubigny*.

The next Day after the Battel, the Earl of *Eſſex* finding his Army extreamly weaken'd and diſhearten'd by the great Blow they had receiv'd by His Majeſty's Forces, withdrew himſelf to *Warwick-Caſtle*; and the ſame Night the remainder of his Forces went alſo privately thither much diſtracted;

ſtracted; whereof Prince *Rupert* having notice, the next Morning purſued them; but they were all got into *Warwick*, or diſperſed, before he cou'd overtake them: But His Highneſs took Twenty-five Waggons and Carriages of the Rebels, laden with Ammunition, Medicaments, and other Baggage, whereof he brought away part, and fired the reſt.

This ſudden returning back of the Rebels to *Warwick*, is not only a ſure Argument of the Weakneſs of their Army, but hath exceedingly diſhearten'd all the Country which adher'd to them, and were before (upon a falſe Rumour that the King's Forces were defeated) ready to have riſen and fallen upon His Majeſty's Forces.

Thus far the King's Account.

Then follows another Relation of the ſame Battel, as it was communicated to the Speaker and Commons aſſembled in Parliament, and by them ordered to be Printed and Publiſhed.

SIR,

WE ſhou'd do our Army a great deal of Wrong, and not diſcharge our Duty of Thankfulneſs towards GOD, if we took not the firſt Occaſion to declare His Goodneſs, in giving ſo great a Bleſſing as he hath now done, to the reſolute and unwearied Endeavours of our Soldiers, fighting for Him in the maintenance of his Truth, and for themſelves and their Country in the defence of their Liberties, and the Privileges of Parliament. This makes us give you now a Narration of a bleſſed Victory which GOD hath given us upon the Army of the Cavaliers, and of thoſe Evil Perſons, who upon Sunday *the* 23*d of this Inſtant, engaged His Majeſty in a dangerons and bloody Fight, againſt His Faithful Subjects in the Army rais'd by Authority of Parliament, for the Preſervation of His Crown and Kingdom. We marched from* Worceſter Wedneſday *the* 19*th, upon Intelligence that their Army was removed from* Shrewſbury *and* Bridgenorth, *and bending Southward. Our Train of Artillery was ſo unready through want of Draught-Horſes, and through other Omiſſions of Mr.* Du-Boys, *that we were forced to leave it behind to follow us, and with it the Regiments of Colonel* Hambden *and Colonel* Grantham; *and, ſtaying for it, we could*

could advance no farther than to a little Market-Town call'd Keynton *in* Warwickshire, *six Miles from* Warwick; *whither we came the* Saturday *Night, with eleven Regiments of Foot,* 42 *Troops of Horse, and about* 700 *Dragoons; in all about* 10000 *Men: There we intended to rest the Sabbath-day, and the rather, that our Artillery, and Forces left with it, might come up to us. In the Morning, when we were going to Church, we had News brought us, that the Enemy was two Miles from us, upon a high Hill called* Edghill. *Whereupon we presently marched forth into a great broad Field under that Hill, called,* The Vale of the Red-Horse, *and made a stand some half a Mile from the Foot of the Hill, and there drew into Battalia; where we saw their Forces come down the Hill, and drew likewise into Battel in the Bottom, a great broad Company. Their Forces appeared to be much greater than we could possibly have conceiv'd them to be, by the Confession of the Prisoners we have taken: They that say least, say* 14000, *which is the Earl of* Lindsey's *Relation, who was their General; but others say* 18000, *and above* 4000 *Horse and Dragoons. The Wind was much for their Advantage, and they endeavoured to get it more; which to prevent, we were enforced to draw out our Left-Wing to a great breadth, and by that means, before the Battel was done, gain'd it wholly from them. In our Right-Wing were three Regiments of Horse, the Lord General's, Commanded by Sir* Philip Stapleton, *Sir* William Balford's, *and the Lord* Fielding's: *Sir* John Meldrum's *Brigade had the Van, Colonel* Essex *was in the Middle, and Colonel* Balford's, *with the Lord General's Regiment, his own, the Lord* Brook's, *and Colonel* Hollis *in the Rear. In the Left-Wing were* 24 *Troops of Horse, Commanded by Sir* James Ramsey *their Commissary-General. In this Posture we stood when the other Army advanced towards us: The Strength of their Horse was on their Right-Wing, opposite to our Left; in their Left-Wing they had but Ten Troops; but their Foot, which appear'd to us divided into Nine great Bodies, came up all in Front; and after some playing with the Cannon on both Sides, that part of it which was on their Left, and towards our Right-Wing, came on very gallantly to the Charge, and were as gallantly receiv'd, and Charged by Sir* Philip Stapleton *and Sir* William Balford's *Regiment of Horse, assisted with the Lord*

Roberts

Roberts *and Sir* William Conſtable's *Regiments of Foot, who did it ſo home thrice together, that they forced all the Muſqueteers of two of their Left Regiments, to run in and ſhrowd themſelves within their Pikes, not daring to ſhoot a Shot, and ſo ſtood when our Rear came up: and then Charging all together, eſpecially that part of our Rear which was placed upon the Right-hand, and ſo next unto them, which was the Lord General's Regiment, and the Lord* Brook's, *led on by Colonel* Ballard, *who Commanded that Brigade, forced that Stand of Pikes, and wholly broke thoſe two Regiments, and ſlew and took almoſt every Man of them: The Earl of* Lindſey, *his Son the Lord* Willoughby, *and ſome other Perſons of Note, are Priſoners. Sir* Edmund Varney, *who carried the King's Standard, was ſlain by a Gentleman of the Lord General's Troop of Horſe; who did much other good Service that Day, and the Standard taken; which was afward, by the Lord General himſelf, deliver'd unto his Secretary Mr.* Chambers, *with an Intention to ſend it back the next Day to His Majeſty: But the Secretary, after he had carried it long in his Hand, ſuffer'd it to be taken away by ſome of our Troopers, and as yet we cannot learn where it is. The other two Regiments of the Rear, Colonel* Hollis *and Colonel* Ballard, *Charged thoſe which were before them, and then the whole Body of the King's Foot, except two other Regiments, ran away. By this time it grew ſo late and dark, and to ſay the Truth, our Ammunition at this preſent was all ſpent, that we contented ourſelves to make good the Field, and gave them leave to retire up the Hill in the Night. But before we came to this, we will give you an account of what paſſed in the other Parts of our Army. Before our Rear came up to Charge, our Battalia at the very firſt wholly diſbanded and ran away, without ever ſtriking Stroke, or ſo much as being Charged by the Enemy, tho' Colonel* Eſſex *himſelf, and others who Commanded theſe Regiments in Chief, did as much as Men could do to ſtay them: But Colonel* Eſſex *being forſaken by his whole Brigade, went himſelf into the Van, where both by Direction and his own Execution, he did moſt gallant Service, till he receiv'd a Shot in the Thigh, of which he is ſince dead. Now for our Rear thus it was; before it, toward the outſide of it, ſtood our Left Wing of Horſe, advanced a little forward to the top of a Hill,*

Hill, where they ſtood in a Battalia, lined with Commanded Muſqueteers, 400 *out of Colonel* Hollis's *Regiment, and* 200 *out of Colonel* Ballard's; *but upon the firſt Charge of the Enemy they wheel'd about, abandon'd their Muſqueteers, and came running down with the Enemy's Horſe at their Heels, and amongſt them Pell-mell, juſt upon Colonel* Hollis's *Regiment, and broke through it; tho' Colonel* Hollis *himſelf, when he ſaw them come running towards him, went and planted himſelf juſt in the way, and did what poſſibly he could do to make them ſtand; and at laſt prevail'd with three Troops to wheel a little about, and rally: But the reſt of our Horſe of that Wing, and the Enemy's Horſe with them, brake through and ran to* Keynton, *where moſt of the Enemy left purſuing them, and fell to plundering our Waggons; by which many of us have received very great Loſs, and by Name your Servants that now write to you. Notwithſtanding their breaking through Colonel* Hollis's *Regiment it was not diſmay'd, but, together with the other Regiments of that Brigade, marched up the Hill, and ſo made all the haſte they could to come to fight; and got the Wind of the Enemy, and came on (if we may ſay it ourſelves, but we muſt do the Soldiers right) moſt gallantly, and Charged the Enemy, who were then in fight with our Van, and the Right-Wing of our Horſe; and, as it was ſaid before, help'd to defeat the two Regiments aforementioned, and made all the reſt run, but two other Regiments which retired orderly, and at laſt made a ſtand; and having the aſſiſtance of Cannon, and a Ditch before them, held us Play very handſomly. And by this time it grew ſo dark, and our Powder and Bullet ſo ſpent, that it was not held fit we ſhould advance upon them; but there we ſtood in very good Order, drew up all our Forces, both Horſe and Foot, and ſo ſtood all that Night upon the Place where the Enemy, before the Fight, had drawn into Battalia, till toward Morning, that the Enemy was gone, and retired up the Hill; and then we returned alſo to a warmer Place near* Keynton.

And then, after two or three leſs conſiderable Circumſtances, one of which is, That they had loſt of Note only Colonel *Eſſex*, and, they fear'd, the Lord *St. John*, who was dangerouſly wounded, they conclude thus:

The

The King's Foot are either ſlain, or moſt of them run away, and are now very weak, and ſhou'd have been purſued by us, but that we muſt of pure Neceſſity refreſh our Men for three or four Days; and then we ſhall (God willing) addreſs ourſelves to finiſh the Work. In the mean time, 'tis very requiſite Letters from the Committee ſhou'd be writ into the Countries which are Southern, to ſtir them up, that they may riſe and cut them off, or aſſiſt us, at leaſt, againſt them. Which hoping you will forthwith do, we reſt

Your faithful and humble Servants,

Denzel Hollis.	*William Balford.*
Phil. Stapleton.	*Jo. Meldrum.*
Tho. Ballard.	*Charles Pym.*

Whitlock ſays, that on both Sides were loſt between five and ſix Thouſand Men. *Mem.* p. 61.

An Account of the firſt Fight at Newbury, Sept. 20. 1643. *from* Ruſhworth's *Hiſt. Coll. Part* III. *Vol.* II. *Page* 293. *and* Whitlock's *Mem. pag.* 70.

ON *Tueſday, September* 19. *Eſſex* march'd from *Hungerford*, towards *Newbury*, his Army in great Want of Victuals, both for Man and Horſe; to whom the Country thereabouts was ill affected, and would bring in nothing to them without Compulſion. The whole Body of the King's Army had poſſeſſed themſelves of the Town of *Newbury*: On their Right Hand they had the Advantage of the River, and a Hill, (called *Biggs-Hill*) half a Mile from the Town, where they had planted their Ordnance, ſo that there was no Paſſage to them, but with great Diſadvantage, and by a narrow Lane. Yet *Eſſex*, finding his Soldiers full of Mettle, and reſolved to force their Way, marched next Morning by Break of Day, at the Head of his own Regiment, Col. *Barclay*'s and Col. *Holburn*'s Brigades, and Charged

Charged the Party upon *Biggs-Hill* ſo fiercely, that he beat them off, and kept the Hill all the Day, tho' hotly charged both by Horſe and Foot of the King's Party. Sir *Philip Stapleton* with *Eſſex*'s Guard and Regiment of Horſe, ſeconded by Col. *Dalbeir*'s Regiment, were charged by a Party of the King's Horſe, whom they ſo well received (giving no Fire till join'd cloſe with them) that they wholly routed them, and purſued them with great Execution, near to the Place where their whole Body of Horſe ſtood: Whence ſome freſh Regiments advanced again upon Sir *Philip*, but with the ſame Succeſs. In the mean Time the other Regiments, *Ramſey*'s, *Harvey*'s, and *Goodwin*'s, were come to him, when the King's Horſe with their whole Body charged upon them bravely, and were as well received; Sir *Philip Stapleton* being charged both in Front and Flank, and both Parties all mixt together, and many ſlain on either Side in that Confuſion. *Stapleton*'s Men were at laſt forced towards the Lane's-end, where they firſt came in; which being near their Foot, the Royaliſts were obliged to diſengage themſelves as faſt as they could; for thoſe that enter'd with the Enemy into that Lane, were generally cut off, and three Colours of Horſe taken. The Left Wing of the Parliament's Horſe, and the Right Wing of the King's, could not come to any Engagement, but in ſmall Parties, by Reaſon of the Hedges.

Whilſt theſe Actions paſſed between the Horſe, the Foot were not idle. Mojor-General *Skippon* having order'd the Lord *Roberts*'s Brigade and his own, Sir *William Springer*'s, Col. *Manwaring*'s, and the Red and Blue Auxiliary Regiments, to be a Guard to the Artillery, and to be near the General, looking from the before-mention'd *Biggs-Hill* towards *Newbury*, perceiv'd a great Strength of His Majeſty's both Horſe and Foot, in divers great Bodies, advancing directly towards the Way the Train was of Neceſſity to march. Therefore to prevent their falling upon it, or upon the Rear of thoſe of his Party that were engaged on the Hill, the Lord *Roberts*'s Brigade, with four ſmall Pieces, were placed juſt where the ſaid Forces of the King's were advancing, and check'd their March, and made them retire; the Lord *Roberts* poſſeſſing the Ground which they firſt came up unto. Col. *Manwaring*'s Regiment was placed on the Right Hand, between the Hill and *Roberts*'s Brigade; but after a while was commanded away by the General, to relieve

lieve his own Regiment, and Col. *Barclay*'s and Col. *Holburn*'s Brigades, which had been four Hours upon very hot Service. But this Regiment was no sooner thus brought on, but they were overcharged and forced to retreat, and lose that Ground which the fore-mentioned Forces had gotten: Which Col. *Holburn* perceiving, he, with his own and *Barclay*'s Brigades, and the General's Regiment, again advanced, beat back the King's Forces, regain'd the Ground, and maintain'd it all the Day afterwards.

The Fight all along the Valley, more than half a Mile in length, was continued as long as in any other part of the Army, which was till Ten a Clock at Night; about which Time the Royalists gave a good round Salvo upon Col. *Barclay*'s and Col. *Holburn*'s Posts, till Major-General *Skippon* espied an Advantage to pour in eight or nine Demy-Culverin Shot upon them. Then he rallied the two Train'd-Band Regiments into one Body, and desired Major *Boteler* to draw the Musqueteers of his Regiment on the Right Hand, before the two Demy-Culverins that were placed at the end of the Lane on the top of the Hill; and the Red Auxiliaries on the Left of these Pieces. Whilst this was doing, two Pieces which belonged to the Major General's Regiment, and one Drake of Sir *William Brook*'s, were by the General's Regiment, under the Command of Major *Boteler*, with the Assistance of Two Hundred Musqueteers, recover'd. And the Royalists drew away from their Pikes (which with their Colours kept standing, with many great Bodies of Horse to guard them) five or six Hundred Musqueteers, besides Dragoons, to encompass the Parliamentarians on the Right Hand amongst the Hedges; but they were beat off by Three Hundred Musqueteers of *Forlorn-Hope*, who were going to the Relief of *Barclay*'s and *Holburn*'s Soldiers. By this Time Night grew on, when the King's Forces, both Horse and Foot, stood in good Order on the farther side of the Green: And *Essex* did expect to have had a second Engagement the next Day; but in the Night the King's Forces retreated: And *Essex* next Morning marched quietly over the Ground where the Battle had been fought, towards *Reading*; where he arrived with the whole Army on *Friday*, *September* 22.

In this Battle there were slain on His Majesty's Side, three of the Nobility, *viz.* the Earl of *Carnarvan*, the Lord *Spencer*, newly created Earl of *Sunderland*, and the Lord

Lord Viſcount *Faulkland*, Principal Secretary of State; who in the Morning of the Battle call'd for a clean Shirt, *&c.* As in Lord *Clarendon*.

On the Parliament's Part were ſlain Col. *Tucker*, and the Lieutenant-Colonel of *Eſſex*'s Regiment; one Captain of Horſe, and about Five Hundred common Soldiers. The Loſs on the King's Side was far greater, both in Number, and the Quality of the Perſons.

In a Relation of this Battle, printed at *Oxford*, 1643. it is affirm'd, that the King's Army ſpent Fourſcore Barrels of Powder that Day; which was twenty more than ſerv'd their Turn at *Edge-Hill*. The Fight continu'd from ſeven a Clock in the Morning, till ſeven or eight at Night; and both Parties ſhew'd the height of Courage and Reſolution. The King's Horſe conſiſted moſt of Gentlemen, who made a gallant Reſiſtence; but the Ground was not proper for them. His Majeſty, after this Battle, drew off his Army to *Oxford*, where he arrived *September* 23.

An Account of the Battle of Marſton-Moor, *from* Ruſhworth, Hiſt. Coll. Part. III. Vol. II. pag. 631. *and* Whitlock, Mem. pag. 89.

THE City of *York* being held for the King by the Marqueſs of *Newcaſtle*, and beſieged by the Parliament's Forces, under the Command of three Generals, *viz.* the Earls of *Leven* and *Mancheſter*, and the Lord *Fairfax*; Prince *Rupert* with an Army of about Twenty Thouſand Horſe and Foot advanced to the Relief of the Beſieged; and certain Notice was given to the Parliamentarians, on *Sunday*, *June* 30. 1644. that he would Quarter that Night within twelve or fourteen Miles of them. Whereupon, not thinking themſelves able to fight him, and continue the Siege at the ſame Time, and ſuppoſing it ſafeſt to fight him with their whole Strength, they reſolv'd that Night and in the Morning to raiſe the Siege. Accordingly on *Monday*, the firſt of *July*, they drew off all their Forces and Artillery without any Loſs; and marched to a great Moor, four or five Miles (ſome reckon it eight) from *York*, on the *South-Weſt*

West side of the River *Owse*, called (from the adjacent Villages) sometimes *Hessam-Moor*, but most commonly *Marston-Moor*, and there drew up in Battalia, expecting the Prince would have made that his Way to *York*. But His Highness, intent upon the Relief of the City, caused only a Party of his Horse to face the Enemy on the *Moor*, near a Bridge, where they might at Pleasure secure their Retreat; and in the mean time himself, with about Two Hundred Horse, marched to *York*, on the other side the River: But his Foot and Ordnance Quarter'd that Night in the Forest of *Gortrey*, within five Miles of the City.

The Prince and Marques falling into Consultation, the Marques (as I find in his Life, said to be written by his Dutchess, *p.* 46.) 'desired His Highness not to attempt any 'thing as yet upon the Enemy; for he had Intelligence that 'there was some Discontent between them, and that they 'were resolv'd to divide themselves, and so to raise the Siege 'without Fighting. Besides, that he expected, within two 'Days, Col. *Clavering*, with above Three Thousand Men 'out of the *North*, and Two Thousand drawn out of 'several Garrisons [who also came at the same Time, tho' it 'was then too late.] But His Highness answer'd my Lord, 'that he had a Letter from His Majesty (then at *Oxford*) 'with a positive and absolute Command to fight the Ene-'my; which, in Obedience, and according to his Duty, 'he was bound to perform. Whereuppon my Lord replied, 'That he was ready and willing, for his part, to obey His 'Highness in all things, no otherwise than if His Majesty 'was there in Person himself. And tho' several of my 'Lord's Friends advised him not to *engage* in Battel, be-'cause the Command (as they said) was taken from him; 'yet my Lord answer'd them, That happen what wou'd, 'he wou'd not shun to fight, for he had no other Ambition 'but to live and die a Loyal Subject to His Majesty. ------- But to return.

The *Parliamentarians* finding themselves disappointed, and that the Prince had reliev'd the City without *Fighting*, Quarter'd themselves that Night at *Long-Marston*, and in the Towns adjacent; but a great part of their Horse staid all Night upon the *Moor*. Next Day they resolv'd to march to *Tadcaster*, *Cawood*, and *Selby*; partly to possess the River, and thereby hinder him from furnishing *York* with Provisions out of the *East-Riding*; as also to obstruct his Match

March Southwards, he having ſcarce any other way to march, the Earl of *Denbigh* and the *Lancaſhire* Forces being advancing from the *Weſt* when he came.

Accordingly, on *Tueſday*, *July* 2. early in the Morning, their Foot and Artillery were commanded to march towards *Tadcaſter*, the *Scots* leading the Van: But before they were arrived within a Mile of that Town, Notice was given that the Prince, about Nine a Clock, with the Van of his Army, conſiſting of Five-thouſand Horſe, was come upon the Moor near *Marſton*, and preſſed cloſe upon their Rear, and was drawing on the reſt of his Forces, appearing reſolved to fight them. Hereupon their Foot and Carriages were order'd back with all ſpeed.

In the mean time both Parties were buſy in drawing themſelves up into Order: the Prince had poſſeſs'd himſelf of ſo much of the Moor, and advanced ſo near them, that they had not liberty enough to draw up upon the Moor, but were forced to draw their Men into a large Field of Rye, which being a riſing Ground, the Prince ſent a Party to hinder them of that Advantage; but they were beat back, and that Corn-Field poſſeſſed by the Enemy, whoſe Pioneers made way to get Ground whereon to extend the Wings of their Army, placing their Right-Wing juſt by *Marſton* Town-ſide, the Town on their Right-hand fronting on the *Eaſt*; and as their Foot and Horſe came up, formed their Battalia and Left-Wing, endeavouring to gain as much of the Left Point as they could; ſo that at laſt their Army fronted to the Moor, from *Marſton* to *Topwith*, being a Mile and half in length. The Prince having part of his Foot beyond *Owſe*, was as late as they before he had fully drawn up; but between Two and Three a Clock both Armies were pretty well form'd.

The Prince, with the Forces drawn out of the City, had in the Field in all about Fourteen-thouſand Foot, and Nine-thouſand Horſe, and about Twenty-five Pieces of Ordnance. His Highneſs himſelf led on the Right-Wing of Horſe, which had in it Twelve Diviſions, conſiſting of a Hundred Troops, and might be Five-thouſand Men. Their Left-Wing of Horſe was Commanded by Sir *Charles Lucas* and Colonel *Hurry*; but who Commanded their Main Body, whether General *Goring*, or Major-General *Porter*, or Major-General *Tilyard*, or all of them, I have not been able to learn: Nor do I find what particular Charge the Marquis

of *Newcastle* had this Day in the Field, tho' 'tis certain he was *engaged* very Valiantly in the Battel.

On the other Side, the *Parliamentarians* did not exceed the Prince in Number. Their Right-Wing of Horse was Commanded by Sir *Thomas Fairfax*, consisting of Eighty Troops, being his own and part of the *Scotch* Horse: Next, in the Main Battalia was the Lord *Fairfax*, commanding the Foot towards the *Right-Wing*, consisting of all his own Infantry, and two Brigades of *Scots* for a Reserve: And towards the Left, General *Leven*, with the rest of the *Scotish* Forces, and two Brigades of the Earl of *Manchester's*, with six Regiments of *Scots* and one of *Manchester's* Brigades for a Reserve. The *Left-Wing* was commanded by *Manchester* and his Lieutenant-General *Cromwel*, consisting of the Earl's whole Cavalry, and three Regiments of the *Scotsh* Horse, under Major-General *Lesley*, making in all about Seventy Troops. The Prince's Army extended in the Front somewhat farther than theirs, and therefore on their Left-hand, to secure the Flank, were placed the *Scotish* Dragoons, under the Command of Colonel *Frizel*.

The *Field-Word* given by the Prince was, *God and the King*; by the other Party, *God with us*. The Great Ordnance on both Sides began to play about Three of the Clock, but without doing any considerable Execution on either part. All Things being ready about Five a Clock, there was a general Silence on each Side, expecting who shou'd begin the Charge; for that there was a small Ditch and a Bank between the two Armies (tho' they had drawn up their Wings within Musquet-shot) which either Side must pass, if they wou'd Charge the other, which wou'd be a Disadvantage, and apt to disorder them that shou'd first attempt it. In this Posture they continued a considerable time, so that on each Side it was believ'd there wou'd be no Action that Night: But about Seven a Clock in the Evening (*Whitlock* says it was Seven a Clock next Morning) the Parliament's Generals resolv'd to fall on; and then the Signal being given, the Earl of *Manchester's* Foot, and the *Scots* of the Main Body advanced in a running March, soon made their way over the Ditch, and gave a smart Charge.

The Front Divisions of Horse mutually charged, the respective opposite *Right* and *Left-Wings* meeting. The first Division of Prince *Rupert's* advanced, and with them His Highness in Person charged *Cromwel's* Division of Three hundre

hundred Horſe, in which he was in Perſon, and very hard put to it, being charged by Prince *Rupert*'s braveſt Men, both in Front and Flank, and ſtood at Sword's Point a pretty while, hacking one another. But at laſt *Cromwel* broke through, and at the ſame time the reſt of his Horſe of that *Wing*, and Major-General *Leſley*'s Regiments, (who behaved themſelves very well) had wholly broken all that *Right-Wing* of the Prince's, and were in chaſe of them beyond their *Left-Wing*: And the Earl of *Mancheſter*'s Foot on the *Right-hand* of them, went on by their Side almoſt as faſt as they, diſperſing and cutting down his Foot. The Marquis of *Newcaſtle*'s Regiment of *White-Coats* were almoſt wholly cut off, for they ſcorn'd to fly, and were ſlain in Rank and File; and the reſt of that part of their Army which eſcaped killing or being taken Priſoners, fled in confuſion towards *York*.

But the Prince's *Left-Wing*, led by Colonel *Hurry*, had better Succeſs, and did as much to the Parliament's *Right*. For tho' Sir *Thomas Fairfax*, with Colonel *Lambert*, and five or ſix Troops, charged through them, and went to their own *Left-Wing*, the reſt of his Troops were defeated. And the Lord *Fairfax*'s *Brigade* being furiouſly aſſaulted, and at the ſame time diſorder'd by ſome of Sir *Thomas Fairfax*'s new-rais'd Regiments, who wheel'd about, and being hotly purſued, flying back upon them and the Reſerve of *Scotiſh* Foot, broke them wholly, and trod many of them under Foot; ſo that their *Right-Wing*, and part of their Main Body were routed, and fled out of the Field ſeveral Miles, towards *Tadcaſter* and *Cawood*, giving out that all was loſt. The Three Generals, *Mancheſter*, *Leven*, and Lord *Fairfax* thought ſo too, and were haſting out of the Field; when the Victory they deſpair'd of, unexpectedly turn'd to their Side.

For while Prince *Rupert* and the Royaliſts were too eagerly following the Chace, and juſt ſeizing on their Enemies Carriages, *Cromwel* with his Regiment, and Sir *Thomas Fairfax* having rally'd ſome of his Horſe, and *Mancheſter*'s Foot, came back from the Chace of the Prince's *Right-Wing*, and perceiving their Friends in the mean time thus worſted, advanced in good Order to a Second Charge with all the Prince's Horſe and Foot that had thus diſorder'd their *Right-Wing* and Main Battel; who ſeeing their approach, gave over the Purſuit, and prepar'd to receive them; both

Sides being not a little surprized to see they must fight it over again for that Victory which they thought they had already gain'd. However, the Royalists marched with great Resolution down the Corn-field, the face of the Battel being exactly counterchang'd: For now the King's Forces stood on the same Ground, and with the same Front that the Parliament's *Right-Wing* before stood to receive their Charge; and the Parliament's Forces in the same Ground, and with the same Front as the King's did when the Fight began.

The Battel thus renew'd grew very desperate; but, in fine, after the utmost efforts of Strength and Courage on either Side for three Hours, Victory wholly enclined to the Parliament's Forces, who before Ten of the Clock had clear'd the Field, and not only recover'd their own Ordnance and Carriages, which were in so much danger, but took all the Prince's Train of Artillery, and follow'd the Chace with great Slaughter within a Mile of *York*.

There were taken Prisoners of Note, Sir *Charles Lucas* Lieutenant-General of the Marquis of *Newcastle*'s Horse Major-General *Porter*, Major-General *Tilyard*, and th Lord *Goring*'s Son, and near an Hundred other Officers Fifteen-hundred Common-Soldiers, (*Whitlock* says, *Three thousand Prisoners in all*) Twenty-five Pieces of Ordnance One-hundred and thirty Barrels of Powder, several Thou sand Arms, and, as was computed, about an Hundred Co lours; for which, tho' there was a Proclamation made t bring them in to the Generals, yet the Soldiers had alread torn to Pieces most of them, delighting to wear the Shre in their Hats.

The Number of the Slain on either Side is uncertai The Countrymen (who were commanded to bury the Corp gave out that they Interr'd Four-thousand, One-hundre and Fifty Bodies. It was generally reported, that at lea Three-thousand of the Prince's Men were kill'd: but t Parliament Party wou'd not acknowledge above Thre hundred of theirs slain.

Cromwel, who was acknowledg'd by all to be a gre Instrument of this Victory, was slightly hurt with a Pist Shot in the Neck; which some imagin'd to be by accide and want of Care by some of his own Men. Sir *Tho. Fa fax* carried himself with great Bravery, and being U hors'd, and wounded in the Head and Face, was reliev

and carried off by a Party of his own Horſe. On the *King's* Side abundance of Gentlemen expreſs'd wonderful Courage, and Charged with as much Reſolution as could be expected from Men; inſomuch that it was then confidently reported, Prince *Rupert* ſhould ſay, *I am ſure my Men fought well, and know no reaſon of our Rout, but this, Becauſe the Devil did help his Servants.* The Prince himſelf eſcaped narrowly by the Goodneſs of his Horſe.

The very next Morning after the Battel, the Marquis of *Newcaſtle* took a Reſolution to forſake the Kingdom; and therefore taking leave of the Prince, went out of *York*, conducted by a Troop of Horſe and Dragoons to *Scarborough*, where two Ships being ready to ſet Sail for *Hamburgh*, he embarked himſelf and his Company therein, having with him his two Sons, *Charles* Viſcount *Mansfield*, and *Henry* Lord *Cavendiſh*; his Brother Sir *Charles Cavendiſh*, Dr. *Bramhall* Biſhop of *London-derry*, the Lord *Falconbridge*, the Lord *Widderington*, the Earl of *Elthyne*, the Lord *Carnwarth*, Colonel *Carnaby*, Colonel *Baſſet*, Colonel *Mazen*, Sir *William Vavaſour*, Sir *Francis Mackworth*, and about Eighty more: And in four Days arrived at *Hamburgh*; and the Marquis came no more into *England* till the miraculous Reſtoration of King *Charles* the Second. *Whitlock* ſays they were diſcontented at the late Action, and at Paſſages of Prince *Rupert*, diſtaſteful to them.

An Account of the Second Fight at Newbury, Octob. 27. 1644, *from* Whitlock *and* Ruſhworth.

Clarendon *Vol.* II. *p.* 546.

THE 22d of *October* was order'd by the Parliament to be kept Solemnly, as a Day of Prayer and Humiliation for a Bleſſing on their Arms. And becauſe they daily expected an Engagement, ſeveral Surgeons were ſent down to the Army; and alſo the Committee of both Kingdoms diſpatch'd Two of their Members, the Lord *Wareſton* and Mr. *Crew*, to reſide with the Armies, and conſult with the General.

Monday, *October* 28. the Commons being inform'd that in all probability the Armies were now engaged, they sent to the *Assembly of Divines* to spend some time in Prayer for the good Success of the Parliament's Forces; which was done accordingly. And in the Evening of the same Day, News came to the Parliament of a considerable Victory obtain'd by their Forces against the King's Army near *Newbury*: That the Fight began on *Sunday October* 27, about Three a Clock in the Afternoon: That before Seven they had Nine Pieces of Ordnance from the Enemy, took the Earl of *Cleveland* and Three-hundred Prisoners, killed *Charles Goring*, Son to the Lord *Goring*, Sir *Humphry Mildmay*'s Eldest Son, and divers others of Quality. General *Essex* being under some Indisposition of Body, was absent from the Army at this time.

The Parliament's Forces considerably outnumber'd the King's, whose Strength is reported to have been Eight-thousand Foot and Five-hundred Horse; and therefore it was thought that His Majesty was willing to decline Fighting, till Prince *Rupert* shou'd come up with Three-thousand Horse and Dragoons; or at least till the Earl of *Northampton* (who had with him One-thousand Horse, or upwards, besides Foot from *Oxford*) shou'd return from relieving *Banbury-Castle*: And therefore His Majesty had cast up Works about *Newbury*, fortified the Avenues, lined the Hedges, and kept within the Town, guarded with his Artillery. But upon the approach of the Parliament's Army he caus'd his Horse and Foot to draw out into *Speen-Field*, the Midway between *Newbury* Town and *Dennington* Castle; as well to make his Army seem more numerous, as to embattel them to advantage. For many Hours some Parties of Horse skirmished betwixt both Armies, and the Cannon play'd, tho' with no great Execution; it being impossible to engage the King's Forces without much hazard, by reason of a River that was betwee them; so that little was done that Day; and at Nigh the greatest part of the Parliament's Forces marched t *Chevely*, and Quarter'd there in the open Field. Here was resolv'd at a Council of War, to divide their Force *viz.* That all the General's Horse and Foot, part of *Manchester*'s Horse, and most of the Forces under the Command of *Waller*, with the City Brigade, shou'd march *Speen-Hill*; and the Earl of *Manchester*'s Foot, and pa

of his Horſe, to continue in the Field near *Shaw*, a ſmall Village, where the Houſe of one Mr. *Doleman* was Fortified by His Majeſty's Forces; and it was agreed, that ſo ſoon as the latter ſhou'd, by the diſcharging of the Cannon, underſtand that thoſe at *Speen* were engaged, *Manchester* ſhould fall on to gain the Paſſage at *Shaw*, and give a Diverſion to that part of the Army deſign'd for *Speen*.

The Horſe were Commanded by Sir *William Waller* and Sir *William Balfour*, the Foot by Serjeant-Major-General *Skippon*, who by break of Day, on *Sunday* the 27th of *October*, were on their March; and in Four Hours time, having fetch'd a Circle to avoid the Shot of *Denningtom*-Caſtle (who yet made a Sally on their Rear, and took Ten or Twelve Priſoners) and by the Way having intercepted Two or Three Carts with Proviſions for His Majeſty, and taken about a Hundred Horſe and Foot of the King's as they ſtraggled, they made their approach towards the Weſt-ſide of *Newbury*. In which March they receiv'd the News that *Newcaſtle* was taken by Storm, and the *Iriſh* Rebels in *Ulſter* defeated; which they took to be a Matter of great Encouragement, and a kind of Omen of Victory. It was near Three a Clock in the Afternoon e're they could get themſelves into Battalia: Then the *Forlorn-Hopes* of Horſe began the Fight, ſeconded by the Foot; ſo that (to uſe the Words of the Committee attending the Army, in their Letter giving an accounnt of this Fight) for Three Hours the Fight was maintain'd with as much Reſolution, Bravery, and Deſperateneſs on both Sides, as had been ſince the Commencement of the War. But in Concluſion, the Parliament's Forces beat the King's from their Works at *Speen*, and out of that Village; and took Nine Pieces of Cannon, among which Six were thoſe they loſt in *Cornwal*, which the Foot that were then diſarm'd ventur'd deſperately to regain; and when they had got them, embrac'd them for Joy, ſaying, *They wou'd give them a Corniſh Hug*. *Skippon* in his Letter to the Committee ſays, That had not the Night prevented them, probably they had utterly defeated the King's whole Army, which fled with great Haſte and Confuſion out of the Field, leaving about Two-hundred Common Soldiers ſlain, and Three-hundred Priſoners. The Parliamentarians loſt but Fifty of their Men, and none of Note but Captain *Gauler*.

This Day gave so much Discontent to His Majesty, that an Hour after Midnight he marched out of *Newbury* Town, with Prince *Charles* and Prince *Maurice*, and about Seven or Eight-hundred Horse, first to *Wallingford*, and thence to *Oxford*, having first secured his Cannon, Carriages and Baggage in *Dennington*-Castle.

An Account of the great Battel at Naseby, June 14. 1645. *from* prigge's Anglia Rediviva.

Clarendon, *Vol.* II. *p.* 656.

IN the beginning of *June*, 1645, the King took *Leicester* by Storm, and was likely to break into the Associated Counties thereabouts, which mightily alarm'd the *Parliamentarians*. Whereupon they order'd their General, Sir *T. Fairfax*, to draw off from the Siege of *Oxford*, and march towards the King to stop his Progress. On *June* 12. *Fairfax* with his Army arrived at *Gilsborough*, four Miles [*the Inhabitants call it seven*] on the West of *Northampton*; the King being at *Daventry*, a Town of about the same distance from *Gilsborough*, and Quartering all his Foot and Carriages on *Burrough-Hill*, a place of great Advantage. A Party of the Parliament's Horse gave the Royalists an Alarm, and took some Prisoners; by whom they understood the King was a Hunting, the Soldiers in no Order, and their Horses all at Grass; having not the least Knowledge of our Advance, and being in the greatest Security that could be. But the Alarm was so quickly taken through all their Quarters, that our Foot being somewhat behind, and Night approaching, it was not thought Wisdom to make any farther attempt. All that Night they stood in Arms, and were amazed that our Army was so near them; it being reported that we were gone for Security into the *Association*. This caus'd them to move speedily from *Burrough-Hill* toward *Harborough*, in prosecution of a former Resolve to march towards *Pomfract*; either judging our Army wou'd not follow them, or if we did, that they shou'd be able to fight us at more advantage, after they had drawn us farther *Northward*.

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Description of His MAJESTIE'S ARMY of Horse and Foot, and of his Excellencies Sr THOMAS FAIREFAX: as they were drawn into several Bodies at the BATTAIL of NASBIE June the 14th 1645.



June 13. about Six in the Morning, we call'd a Council of War, to consider what attempt to make on the Enemy. In the midst of the Debate came in Lieutenant-General *Cromwel* out of the Association, with 600 Horse and Dragoons, who was receiv'd with the greatest Joy by the General and the whole Army. Instantly Orders were given for Drums to beat, Trumpets to sound to Horse, and all our Army to draw to a Rendezvous: From whence a good Party of Horse were sent towards *Daventry*, under the Command of Major *Harrison*, to bring further Intelligence of the Enemies Motion: And another strong Party of Horse was sent under the Command of Colonel *Ireton*, to fall upon the Flank of the Enemy, if he saw Cause: And the main Body of our Army marched to flank the Enemy in the way to *Harborough*, and came that Night to *Gilling*. That Evening we understood that the Van of the Enemies Army was at *Harborough*, the Rear within two Miles of *Naseby*: And no sooner was the General got to his Quarters, but Tidings were brought him of the good Service done by Colonel *Ireton*, in falling into the Enemies Quarters, which they had newly taken up in *Naseby* Town; where he took many Prisoners, some of the Prince's Life-Guard, and *Langdale*'s Brigade; and gave a sound Alarm throughout the Enemies Army. Whereupon the King much amazed, left his own Quarters at Eleven at Night, and went to Prince *Rupert* at *Harborough*. Immediately a Council of War was call'd, and the Hazards that a farther March wou'd put their Army into, being consider'd, it was resolv'd to come to a Battel; they taking themselves (as indeed they were) for a more considerable Force than we, especially in Horse, on which they chiefly depended. And they resolv'd not to abide in that Place till we marched up to them, but in a Gallant Bravery to seek us out. Herein the King's (or rather Prince *Rupert*'s) Counsel prevail'd against most of the Great Officers, who were of Opinion, that it was best to avoid *Fighting*.

Saturday June 14. the General with the Army advanced by Three a Clock in the Morning, from *Gilling* towards *Naseby*, intending to follow close upon the Enemy, and (if possible) retard their March, with our Horse, till our Foot cou'd draw up to them, in case they shou'd have marched on to *Leicester*, as 'twas given out. By Five in the Morning the Army was at a Rendezvous near *Naseby*, where

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His Excellency receiv'd Intelligence by our Spies, that it was doubtful whether the Enemy wou'd march from *Harborough*, or ſtand us. But immediately the Doubt was reſolv'd, great Bodies of the Enemies Horſe were diſcover'd on the top of the Hill on this ſide *Harborough*, which increaſing more and more in our view, begat a Confidence in the General and Officers, that they were putting their Army in Order, either to receive us there, or come and engage us where we ſtood. Hereupon the General put our Army in a Poſture, either to receive or attack the Enemy. Whilſt theſe Things were in agitation, the Enemies Army, the greateſt part of which the Hill had hitherto intercepted from our ſight, appear'd plainly and orderly advancing towards us. By their going much to the Right, we ſaw they deſign'd to get the Wind of us, which was ſomewhat Weſtwardly. This occaſion'd the General to draw down into a large Fallow Field on the *North-weſt* ſide of *Naſeby*, flanked on the Left-hand with a Hedge, which was a convenient place for us to fight the Enemy in. And indeed ſeeing their Reſolution to advance upon us, we took the beſt advantage we cou'd of the Ground, poſſeſſing the Ledge of a Hill running from *Eaſt* to *Weſt*, upon which our Army being drawn up, fronted towards the Enemy. But conſidering it might be of advantage to us to draw up our Army out of ſight of the Enemy, who marched upon a plain Ground towards us; we retreated about an hundred Paces from the Ledge of the Hill, that ſo the Enemy might not perceive in what Form our Battel was drawn, nor ſee any Confuſion therein, and yet we to ſee the Form of their Battel; to which we cou'd conform ourſelves for Advantages, and recover the advantage of the Hill when we pleaſed; which accordingly we did. The Enemy perceiving this Retreat, thought we avoided *Fighting*, and were flying towards *Northampton*; which occaſion'd them ſo to precipitate, that they left many of their Ordnance behind them.

The General, together with the Major-General, put the ſeveral Brigades of Foot into Order; having committed the ordering of the Horſe to Lieutenant-General *Cromwel*; who did obtain from the General, that ſeeing the Horſe were near Six-thouſand, and to be fought in two Wings, his Excellency wou'd pleaſe to make Colonel *Ireton* Commiſſary-General of Horſe, and appoint him to command the *Left-Wing*. Which being granted, *Cromwel* aſſign'd

him

him five Regiments of Horſe, a Diviſion of Two-hundred Horſe of the *Aſſociation* for that *Wing*, and the Dragoons to line the forementioned Hedge, to prevent the Enemy from annoying the Left Flank of the Army. In the mean time *Cromwel* having ſix Regiments of Horſe with him for the *Right-Wing*, diſpos'd them according as the Place gave leave. The Form of the whole Battel you have here in the Mapp inſerted.

Upon the Enemies approach, the Parliament's Army march'd up to the Brow of the Hill, having placed a Forlorn of Foot (Muſqueteers) conſiſting of about Three-hundred, down the ſteep of the Hill towards the Enemy, ſomewhat more than Carbine-ſhot from the Main Battel, with Orders to retreat in caſe they were hard preſs'd. The Enemy this while march'd up in good Order, a ſwift March, with a great deal of Gallantry and Reſolution (according to the Plan here inſerted). It is hard to ſay whether *Wing* of our Horſe charged firſt: But *Cromwel* not thinking fit to ſtand and receive the Enemies Charge, advanced with the *Right-Wing* of Horſe. Our Word was, *God our ſtrength*; theirs, *Queen Mary*. Colonel *Whaley* being the Left-hand on the *Right-Wing*, charged firſt two Diviſions of *Langdale*'s Horſe, who made a very gallant Reſiſtance, and firing at a very cloſe Charge they came to the Sword; wherein Colonel *Whaley*'s Diviſions routed thoſe two Diviſions of *Langdale*'s, driving them back to Prince *Rupert*'s Regiment, being the Reſerve of the Enemies Foot, whither indeed they fled for ſhelter, and rallied: The Reſerves to Colonel *Whaley* were order'd to ſecond him, which they perform'd with a great deal of Reſolution. In the mean time the reſt of the Diviſions of the *Right-Wing*, being ſtreighten'd by Fuzzes on the Right-hand, advanced with great difficulty, as alſo by reaſon of the unevenneſs of the Ground, and a Coney-Warren over which they were to march, which put them ſomewhat out of their Order. Notwithſtanding they came up with the reſidue of the Enemies Horſe on the *Left-Wing*, whom they routed, as they did every Body of Horſe they charged, and forced them beyond their Foot, about a quarter of a Mile from the place where the Battel was fought.

The Succeſs of our Main Battel was not anſwerable: The Right-hand of the Foot being the General's Regiment, ſtood, not being much preſs'd upon. Almoſt all the reſt gave

gave Ground, falling behind the Reſerves. But the Officers doing the Duty of very Gallant Men, fell into the Reſerves with their Colours, chuſing rather there to fight and die, than to quit the Ground they ſtood on. The Reſerves advancing, commanded by Colonel *Rainſborough*, Colonel *Hammond*, and Lieutenant-Colonel *Pride*, repell'd the Enemy, forcing them to a diſorderly Retreat.

Thus much being ſaid of the *Right-Wing* and Main Bottel, we ſhall next give an account of the *Left-Wing* of our Horſe. Upon the approach of the Enemies *Right-Wing*, our *Left* drawing down the Brow of the Hill to meet them, the Enemy coming on faſt, ſuddenly made a ſtand, as if they had not expected us in ſo ready a Poſture. Ours ſeeing them ſtand, made a little ſtand alſo, partly by reaſon of ſome diſadvantage of Ground, and till the reſt of the Diviſions of Horſe might recover their Stations. Upon that the Enemy advanced again, whereupon ours ſounded a *Charge* and fell upon them. The three Right-hand Diviſions of our *Left-Wing* made the firſt Onſet, and thoſe Diviſions of the Enemy oppoſite to them receiv'd the *Charge:* The two Left-hand Diviſions of the *Left-Wing* did not advance equally, but being more backward, the oppoſite Diviſions of the Enemy advanced upon them. Of the three right-hand Diviſions which advanced, the middlemoſt charged not home; the other two coming to a cloſe Charge, routed the two oppoſite Diviſions of the Enemy. That Diviſion of the Enemies which was between, which the other Diviſion of ours ſhou'd have charged, was carried away in the Diſorder of the other two: The one of thoſe Right-hand Diviſions of our *Left-Wing*, that did rout the Front of the Enemy, charged the Reſerve too, and broke them; the other Reſerves of the Enemy came on, and broke thoſe Diviſions of ours that charged them: The Diviſions of the Left-hand of the *Right-Wing* were likewiſe overborn, having much Diſadvantage by reaſon of Pits of Water, and other pieces of Ditches that they expected not, which hinder'd them in their Order to Charge.

The Enemy having thus worſted our *Left-Wing*, purſued their Advantage, and Prince *Rupert* himſelf having proſecuted his Succeſs upon the *Left-Wing*, almoſt to *Naſeby* Town, in his return ſummon'd the Train, offering them Quarter; which being well defended with the Firelocks, and a Rear-Guard left for that purpoſe, who fired with admi-

admirable Courage on the Prince's Horſe, refuſing to hearken to his Offer, and the Prince probably perceiving, by that time, the Succeſs of our *Right-Wing* of Horſe, he retreated in great haſte to the reſcue of the *King*'s Army, which he found in ſuch a general Diſtreſs, that inſtead of attempting any thing in the reſcue of them, (being cloſe follow'd in the Rear by ſome of the Commiſſary-Generals, Colonel *Rich*'s, Colonel *Fleetwood*'s, Major *Huntington*'s, and Colonel *Butler*'s Horſe) he made up farther, until he came to the Ground where the *King* was rallying the broken Horſe of his *Left-wing*, and there join'd with them and made a ſtand.

To return again to our *Right-wing*, which proſecuting their Succeſs, by this time had beaten all the Enemies Horſe quite behind their Foot, which when they had accompliſhed, the remaining Buſineſs was, with part to keep the Enemies Horſe from coming to the reſcue of their Foot, which were now all at Mercy, except one *Tertia*, which with the other part of the Horſe we endeavoured to break, but could not, they ſtanding with incredible Courage and Reſolution, altho' we attempted them in the Flanks, Front, and Rear; until the General call'd up his own Regiment of Foot, which immediateiy fell in with the But-end of their Muſquets (the General charging them at the ſame time with his Horſe) and ſo broke them. The Enemy had now nothing left in the Field but their Horſe, with whom was the King himſelf, which they had put again into as good Order as the ſhortneſs of their Time, and our near preſſing upon them wou'd permit.

The General ſeeing them in that Order, endeavour'd to put our Army again into as good Order as he cou'd; and, as it were in a trice, a ſecond good Battalia was form'd; which the Enemy perceiving, and not willing to abide a ſecond Shock, upon ſo great Diſadvantage as this was like to be, immediately ran without one Stroke. Our Horſe had the Chaſe and Execution of them for near fourteen Miles towards *Leiceſter*.

The Number of the Slain was uncertain. The Priſoners taken in the Field were about Five-thouſand; whereof were 6 Colonels, 8 Lieutenant-Colonels, 18 Majors, 70 Captains, 80 Lieutenants, 80 Enſigns, 200 other inferior Officers, beſides the *King*'s Footmen, and Houſhold-Servants. Their Train of Artillery was taken, all their Ordnance,

nance, being Brass-Guns, whereof two were Demi-Cannon, besides two Mortar-Pieces (the Enemy got away not one Carriage), 8000 Arms and more, 40 Barrels of Powder, 200 Horses with their Riders, the *King*'s Colours, the Duke of *York*'s Standard and six of his Colours, four of the Queen's White Colours, and near an hundred other Colours, both of Horse and Foot; the *King*'s Cabinet, the *King*'s Sumpter, many Coaches with Store of Wealth in them. On the Parliament's Side above a Thousand Officers and Private Soldiers were Wounded and Slain. General *Fairfax* had his Helmet beat off, and rid about bareheaded. At the beginning of the *Fight* there was not 500 odds on either Side.

An Account of the Preservation of King Charles *the Second, from the Battel of* Worcester, Sept. 3. 1651. *till he got beyond Sea. From Mr.* Blount's BOSCOBEL.

WHEN His Majesty saw no hope of Rallying his broken and scattered Forces, He march'd out of *Worcester* at St. *Martin*'s-Gate, about Six a Clock in the Evening; and General *Lesley* taking the direct Way *Northward* by *Newport*, the *King* was left attended by the Duke of *Buckingham*, Earl of *Derby*, Earl of *Lauderdale*, Lord *Talbot*, Lord *Wilmot*, Colonel *Blague*, Colonel *Roscarrock*, Mr. *Darcy*, Mr. *Lane*, Mr. *Armorer*, Mr. *May*, Mr. *Giffard*, Mr. *Street*, and some others. Their Resolution was to march for *Scotland*; and one *Walker* (formerly a Scout-Master in those Parts) was their Guide; but it being Night he lost his Way on *Kinver-Heath*, not far from *Kidderminster*.

Here the King consulted where he might repose himself, for some few Hours at least. The Earl of *Derby* told him, That in his Flight from *Wiggan*, where his Forces were routed, to *Worcester*, he had met with a perfect honest Man, and great Conveniency of Concealment, at *Boscobel* House, a very retired Mansion, Situate in *Shropshire*, but upon the Borders of *Staffordshire*, in a kind of Wilderness be-



1. Bscobel House.
2. White Ladies.
3. Bscobel Garden.
4. The Arbor & Mount in y Garde wherein his Majesty sate.
5. The Back Door thro' which his Miesty pass'd to go to the Oak
6. Bscobel Wood.
7. A Table in the Wood.
8. The Royal Oak in which his Majesty & Col. Carlos Sate.
9. Spring Coppice.
10. His Majesty & Ri: Penderel under a Tree there.
11. His Majesty's Troop marching from White Ladies.
12. The plain between Boscobel Wood and Spring Coppice.

M. I.er Gucht Sculp.

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N. 1. 2d Guest Sculp.



P. La Vergne inv.

M. V. de Gu

King Charles the 2d in Disguise rideing before Mrs Lane by which he made his Escape; the Lord Wilmot at a distance. Clarendon Vol: 3.



he Lord Wilmot at a distance. Clarendon Vol: 3. I

between *Tong-Caſtle* and *Brewood*. *John Giffard*, Eſq; built this Houſe about Thirty Years before; and having entertain'd Sir *Baſil Brook* and others, at a Houſewarming-Feaſt, he deſired Sir *Baſil* to give his new Houſe a Name; who aptly call'd it, *Boſcobel*, (from the *Italian*, *Boſco-bello*, which ſignifies *Fair-wood*,) becauſe Seated in the midſt of many fair Woods.

Hither Mr. *Charles Giffard* (a faithful Subject, and of the Noble Family of *Chillington*) undertook to conduct His Majeſty, having one *Yates*, a Servant, with him, very expert in the Ways of that Country. When they came near *Sturbridge*, it was under Conſideration, whether they ſhould March thro' the Town or not; and reſolv'd in the Affirmative, and that they ſhould all ſpeak *French*, to prevent Diſcovery. At a Houſe about a Mile beyond *Sturbridge*, His Majeſty drank, and eat a Cruſt of Bread, the Houſe affording no better Proviſion.

Mr. *Giffard* humbly propoſed to carry His Majeſty firſt to *White-Ladies*, another Seat of the *Giffards*, lying but half a Mile beyond *Roſcobel*, where he might repoſe himſelf for a while; and then proceed farther, as ſhould be thought fit. This Houſe is diſtant about Twenty ſix Miles from *Worceſter*, and ſtill retains the Ancient Name of *White-Ladies*, from its having been formerly a Monaſtery of *Ciſtercian* Nuns, whoſe Habit was of that Colour. Here they arrived near Break of Day on *Thurſday* Morning. *George Penderel* open'd the Doors: And Mr. *Giffard* preſently ſent for *Richard Penderel*, who liv'd near hand at *Hobbal Grange*, and Col. *Roſcarrock* caus'd *Barthol. Martin*, a Boy in the Houſe, to be ſent to *Boſcobel* for *Will. Penderel*. *Richard* came firſt, and was immediately ſent back to bring a Suit of his Cloths for the King; and by that time he return'd with them, *Will.* came; and both were brought into the Parlour to the Earl of *Derby*, who immediately carried them where the King was, and told *Will. This is the King; thou muſt have a care of him, and preſerve him, as thou didſt me.* And Mr. *Giffard* gave the like Charge to *Richard.*

Whilſt *Richard* and *Will.* were thus ſent for, His Majeſty had been adviſed to rub his Hands on the back of the Chimney, and with them his Face, for a Diſguiſe: His Hair likewiſe was diſorderly cut. Then he put off his blue Ribband, Buff Coat, *&c.* and put on a *Noggen* coarſe Shirt,

Shirt, which was borrow'd of *Edw. Martin*, who liv'd in the Houſe, and *Richard Penderel*'s Green Suit and Leather Doublet; but had not Time to be ſo exactly Diſguiſed as he was afterwards: For both *Will.* and *Richard Penderel* advertiſed the Company to make haſte away, in Regard there was a Troop of Rebels, Commanded by Col. *Aſhenhurſt*, Quarter'd at *Cotſal*, but three Miles diſtant; ſome of which Troop came to the Houſe within half an Hour after the Company were gone.

Richard Penderel conducted the King out at a Back-door, unknown to moſt of the Company, except ſome of the Lords, and Col. *Roſcarrock*, who, with ſad Hearts, but hearty Prayers, took leave of him; *Richard* carried him into an adjacent Wood, belonging to *Boſcobel*, call'd *Spring Coppice*, about half a Mile from *White-Ladies*; *William*, *Humphrey*, and *George*, ſcouting abroad, and bringing what News they could learn to His Majeſty in the Wood. And now the Duke of *Bucks*, the Earl of *Derby*, and others, (making in all about Forty Horſe) departed from *White Ladies*, *Northward*, in hope to overtake General *Leſley*. But the Rebels took ſome of them on the Road, and the Earl of *Derby* they Beheaded.

It was about Sun-riſing on *Thurſday* Morning, when the King was placed in *Spring Coppice*; and the Heavens wept bitterly at theſe Calamities, inſomuch that the thickeſt Tree in the Wood was not able to keep His Majeſty dry, nor was there any thing for him to ſit on. Wherefore *Richard* went to *Francis Yates*'s Houſe, (a Truſty Neighbour who married his Wife's Siſter) where he borrow'd a Blanket, which he folded and laid on the Ground, under a Tree, for His Majeſty to ſit on. At the ſame Time *Richard* ſpoke to Goody *Yates* to provide ſome Victuals, and bring him into the Wood at a Place he appointed her. She preſently made ready a Meſs of Milk, and ſome Butter and Eggs, and brought them to His Majeſty in the Wood; who being a little ſurprized to ſee a Woman (no good Concealer of a Secret) ſaid chearfully to her, *Good Woman, Can you be faithful to a diſtreſſed Cavalier?* She anſwer'd, *Yes, Sir, I will die rather than diſcover you.* With which Anſwer His Majeſty was well ſatisfied.

Of the *King*'s ſcattered Retinue, the Lord *Wilmot* had taken *John Penderel* for his Guide, purpoſing at firſt to have March'd *Northwards*; but ſeeing Danger on every ſide,

John

John convey'd the Lord to the Houſe of one Mr. *Huntbach* at *Brinsford*: And going thence he met with Mr. *John Huddleſton*, a Sojourner at Mr. *Thomas Whitgreave*'s of *Moſeley*, to whom (being an Acquaintance and ſincere Friend) he related the Lord's Diſtreſs. Mr. *Huddleſton* goes home forthwith, takes *John* with him, and acquaints Mr. *Whitgreave* with the Buſineſs; who freely reſolv'd to venture all, rather than ſuch a Perſon ſhou'd miſcarry. Hereupon my Lord was conveyed by Night into a ſecret Place of Mr. *Whitgreave*'s Houſe, which he admiring for its excellent Contrivance, ſaid, *I wou'd give a World my Friend* (meaning the King) *were here.*

As ſoon as it was Day, Mr. *Whitgreave* ſent my Lord's Horſes to Colonel *John Lane*'s of *Bentley* near *Walſal*, about Four Miles from *Moſeley*, acquainting him that they belonged to ſome eminent Perſon about the King, whoſe Name he knew not. The Colonel willingly receiv'd them, and ſent word to Mr. *Whitgreave* to meet him that Night in a Cloſe not far from *Moſeley*, in order to the tender of farther Service to the Owner of the Horſes.

On *Thurſday* Night, when it grew dark, the King reſolv'd to go from thoſe Parts into *Wales*, and to take *Richard Penderel* for his Guide. But firſt he went into *Richard*'s Houſe at *Hobbal-Grange*, where his Old Mother had the Honour to ſee her Son waiting on His Majeſty. Here he had time to compleat his Diſguiſe. His Name was agreed to be *Will. Jones*, and his Arms a Wood-Bill. Having taken ſome Refreſhment, they ſet out on Foot about Nine in the Night, deſigning for *Madeley* in *Shropſhire*, about five Miles from *White-Ladies*, and within a Mile of the River *Severn*. In this Village liv'd one Mr. *Woolf*, an honeſt Gentleman of *Richard*'s Acquaintance.

The Lord *Wilmot* ſending from Mr. *Whitgreave*'s to *Boſcobel*, and underſtanding that the King was gone, conſider'd which way to remove himſelf with Safety. Colonel *Lane* coming to *Moſeley* on *Friday* Night, and being introduced to him, acquainted him that his Siſter Mrs. *Jane Lane* had procured a Paſs from ſome Commander of the Rebels, to go ſee her Siſter at *Briſtol*, and offer'd His Lordſhip the Advantage of it, which he was inclinable to accept, and on *Saturday* Night was conducted to Colonel *Lane*'s Houſe at *Bentley*.

Before the King came to *Madeley*, about two Miles short of it, he met with an ill-favour'd encounter at *Evelin-Mill*. The Miller (tho' the King and *Richard* knew it not) was an Honest Man, and had then in his House some considerable Persons of His Majesty's Army, who took shelter there in their Flight from *Worcester*, and had not been long in the Mill. *Richard* unhappily permitting a Gate to clap after them, the Miller who was upon his Watch, boldly ask'd, *Who is there?* *Richard* thinking the Miller had pursued them, quitted the usual Way in some haste, and led His Majesty over a little Brook, which they were forced to wade through, and which contributed much towards the galling His Majesty's Feet. About Midnight they arrived at *Madeley*; *Richard* goes to Mr. *Woolf*'s House, where they were all in Bed, knocks them up, and acquaints Mr. *Woolf*'s Daughter, who came to the Door, that the King was there; who presently receiv'd him into the House. But because the Rebel Soldiers often pass'd through that Town, and quarter'd at that House, and there being no secret Place of Concealment in it, it was thought fatest for the King to retire to a Barn adjoining; where he continued all the Day following, his Servant *Richard* attending him. But News being brought by one that went from the Family to enquire, that strict Guards were kept at every Passage over *Severn*, His Majesty resolv'd to return the Night following to *Boscobel-House*; and accordingly set out on Foot with his faithful Guide at Eleven a Clock, having first taken some Refreshment, and sufficiently discolour'd his Hands with Walnut-Tree Leaves provided by Mrs. *Woolf*.

About Three a Clock on *Saturday* Morning, being come near the House, the King staid in the Wood, while *Richard* went in to see if the Coast were clear. There he found Colonel *William Carlis*, who was escaped from *Worcester*, and came to seek Shelter and Relief of his old Acquaintance *William Penderel*; *Richard* having told him that the King was in the Wood, the Colonel, he, and *William* went to wait on him, and brought him into the House, where he eat Bread and Cheese heartily; and, as an extraordinary Dainty, *William Penderel*'s Wife made him a Posset of thin Milk and small Beer; and warm'd some Water to wash his Feet, much foul'd and gall'd with Travel. And there being no other Shoes in the House that wou'd fit the King she put hot Embers into his wet ones to dry them.

Bein

Being thus a little refreſh'd, the Colonel perſwaded the King to go back into the Wood, as ſafer than the Houſe; here the Colonel made choice of a thick-leaf'd Oak, into which *William* and *Richard* helped them both up, and brought them a Cuſhion for the King to ſit on. In this Oak they continued moſt part of that Day; and the King, who had taken little or no Reſt the two preceeding Nights, lean'd his Head on the Colonel's Lap, and in that Poſture ſlumber'd away part of the time; bearing all Hardſhips with incomparable Patience. In the Evening they return'd to the Houſe, where *William Penderel* acquainted His Majeſty with the Secret Place wherein the Earl of *Derby* had been ſecured; which the King liked ſo well, that he reſolv'd, whilſt he ſtaid there, to truſt only to that, and go no more into the *Royal-Oak*, as it was thence called, where he cou'd not ſo much as ſit at eaſe. And now he permitted *William Penderel* to Shave him, and cut the Hair of his Head cloſe on the top, and ſhort about the Ears, according to the Country Mode.

On *Saturday*, *Humphry Penderel* went to *Shefnal* to pay ſome Taxes to one Captain *Broadway*; at whoſe Houſe he met with a Colonel of the Rebels, newly come from *Worceſter* in purſuit of the King; who being inform'd that His Majeſty had been at *White-Ladies*, and that *Humphry* was a near Neighbour to that Place, examin'd him ſtrictly, and laid before him, as well the Penalty for concealing the King, which was Death without Mercy, as the Reward for diſcovering him, which ſhould be One Thouſand Pounds, certain Pay. But *Humphry* pleading Ignorance was diſmiſs'd; and told this to the King and others when he came home.

This Night the Good-Wife provided ſome Chickens for His Majeſty's Supper, a Dainty he had not lately been acquainted with; and after Supper Colonel *Carlis* aſk'd the King what Meat he wou'd pleaſe to have on *Sunday*; His Majeſty deſired ſome Mutton, if it might be had: But it was thought dangerous for *William* to go to any Market to buy it, ſince his Neighbours all knew he did not uſe to buy ſuch for his own Diet. The Colonel found a Way to help this: Early on *Sunday* Morning he went to Mr. *Staunton*'s Sheep-Coat, who rented ſome of *Boſcobel* Grounds; there he ſtuck one of the beſt Sheep with his Dagger, and ſent *William* to fetch it home on his Back. As ſoon as it

was cold *William* cut it up, and brought a Leg of it into the Parlour. The King call'd for a Knife, cut ſome of it into Collops, and held them over the Fire in a Frying-Pan with his own Hands, whilſt Colonel *Carlis*, as Under-Cook, ſtir'd the Fire and turn'd them. All this while the *Penderels* were watching in their ſeveral Stations: But it ſo pleas'd GOD that the Soldiers never came to this Houſe during His Majeſty's abode here.

The King ſpent ſome part of this Lord's-Day in reading in a pretty Arbour on a Mount in *Boſcobel* Garden; and ſometimes he walked in a Gallery of the Houſe, whence out at a Window he cou'd ſurvey the Road from *Tong* to *Brewood*. And underſtanding by *John Penderel* that the Ld. *Wilmot* was at M. *Whitgreave*'s (for they knew not that he was removed to *Bentley*) he ſent *John* on *Sunday* Morning to *Moſeley*; whence Mr. *Whitgreave* and Mr. *Huddleſton* went with him to *Bentley*, to wait on my Lord. He return'd with them to *Moſeley*, and ſent His Majeſty Word by *John*, that he wou'd wait on him at a certain Place there, at One a Clock that Night. But the King having not recover'd his Foot-Journey to *Madeley*, was not able to walk ſo far, which was five Miles. It was therefore agreed, that His Majeſty ſhou'd ride upon *Humphry Penderel*'s Mill-Horſe (for *Humphry* was the Miller of *White-Ladies* Mill) accouter'd with a pitiful old Saddle, and a worſe Bridle.

When His Majeſty was ready to take Horſe, Colonel *Carlis* with hearty Prayers took leave of him; becauſe he was ſo well known in the Country, that his farther Attendance wou'd have been a diſſervice. But all the honeſt *Penderels*, viz. *William*, *John*, *Richard*, *Humphry*, and *George*, with *Francis Yates*, guarded His Majeſty thus mounted, two before, two behind, and one on each ſide the Horſe, each having a Bill or Pikeſtaff on his Shoulder, and ſome of them Piſtols in their Pockets: Their Deſign was, in caſe they had been encounter'd by any ſmall Party, to have ſhew'd their Valour in defending, as they had done their Fidelity in otherwiſe ſerving His Majeſty. And tho it was near Midnight, they took By-Ways for better Security. After ſome Experience had of the Horſe, the King complain'd, *It was the heavieſt dull Jade he ever rode on*. To which *Humphry* the Owner anſwer'd, *My Liege, Can you blame the Horſe to go heavily, when he hath th weigh*

weight of Three Kingdoms on his Back? When they arrived at a little Grove of Trees near Mr. *Whitgreave*'s, in a Close called *Pit-Leasow*, *William*, *Humphry*, and *George* return'd with the Horse; the other Three attended the King to the House: But His Majesty being gone a little way, had forgot, it seems, to bid Farewel to *William* and the rest who were going back. So he call'd them to him, and said, *My Troubles make me forget myself; I thank you all:* and gave them his Hand to kiss.

When the King was brought into Mr. *Whitgreave*'s House, which was about Two Hours after the time at first agreed on, the Lord *Wilmot* addressing himself to Mr. *Whitgreave* and Mr. *Huddleston*, said, *Though I have conceal'd my Friend's Name all this while, now I must tell you, This is my Master, your Master, and the Master of us all:* Not knowing that they understood it was the King. His Majesty's Attire, as hath been in part observ'd, was a Leather-Doublet, a pair of Green-Breeches, and a Jump-Coat of the same Green, a Pair of his own Stockings with the Tops cut off, because Embroider'd, and a Pair of Stirrup-Stockings which were lent him at *Madeley*, a Pair of old Shoes cut and slash'd to give ease to his Feet, an old Gray greasy Hat without a Lining, a *Noggen* Shirt of the coarsest Linen, his Face and Hands made of a reechy Complexion by Walnut-Tree-Leaves. But his Shirt, as being too uneasy to him, His Majesty was now pleas'd to exchange for a Flaxen one of Mr. *Huddleston*'s, who pull'd off the King's Stockings, in the Feet of which he found somebody had innocently, but indiscreetly, put white Paper, which, with going on Foot from the Place where he alighted, to the House, had roll'd up hard together, and serv'd to encrease, rather than assuage, the Soreness of his Feet.

Mr. *Whitgreave* having by this time brought up some Bisket and a Bottle of Sack, His Majesty eat, and drank a good Glass; and then was pleas'd to say, chearfully, *I am now ready for another March; and if it shall please GOD once more to place me in the Head of but Eight or Ten Thousand good Men, of one Mind, and resolv'd to fight, I shall not doubt to drive these Rogues out of my Kingdoms.*

It

It was now Break of Day on *Monday* Morning the 8th of *September*, and the King was desirous to take some Rest: He lay down upon a Pallat in the Secret Place, but it was too close for his Repose, and they durst not venture him in an open Chamber. Before the Lord *Wilmot* betook himself to his Dormitory, he conferr'd with Mr. *Whitgreave*, and advised that himself or Mr. *Huddleston* wou'd be always vigilant about the House, and give Notice if any Soldiers came: *And* (says this Noble Lord) *if it should so fall out, that the Rebels have Intelligence of your harbouring any of the King's Party, and should therefore put you to any Torture for Confession, be sure you discover me first, which may haply in such Case satisfy them, and preserve the King.* This Night my Lord went to Colonel *Lane*'s, pursuant to a Resolution taken by His Majesty to go Westward, under the Protection of Mrs. *Jane Lane*'s Pass; it being most probable, that the Rebels wholly pursued him Northward.

This *Monday* Afternoon, while the King was lain down on Mr. *Huddleston*'s Bed, News was brought that some Soldiers were coming to apprehend Mr. *Whitgreave*, on an Information that he had been at *Worcester-Fight*. Hereupon he secures his Guests in the Secret Place, leaves all the Chamber-Doors open, goes boldly down to the Soldiers, and assures them (as his Neighbours also testified) that he had not been from Home in a Fortnight past: With which Asseveration the Soldiers were satisfied, and came not up Stairs at all. Other Soldiers came on *Tuesday* to *White-Ladies*, upon a Discovery extorted from a *Cornet* taken by them in *Cheshire*, that he came in Company with the King to *White-Ladies*. Meeting here with Mr. *George Giffard*, they presented a Pistol to his Breast, and bid him confess where the King was, or he should die presently. Mr. *Giffard* resolutely denied the knowing any more, than that some Cavalier-Strangers came thither on *Wednesday* Night, eat up their Provisions and departed; and beg'd, if he must die, that they wou'd first give him leave to say a few Prayers. One of these Villains answer'd, *If you can tell us no News of the King, you shall say no Prayers.* But his Discreet Answer somewhat assuaged the Fury of their Leader: yet they search'd every Corner of the House, broke down much of the Wainscot, and at last beat their Intelligencer severely, for making them lose their Labour.

On

One *Tueſday* Night, between Twelve and One a Clock, the Lord *Wilmot* ſent Colonel *Lane* to attend His Majeſty to *Bentley*. Whereupon, with abundance of Thanks, he took his Leave of Mr. *Huddleſton*, Mr. *Whitgreave*, and his Family; adviſing them to be very careful of themſelves; and gave them Direction to repair to a Merchant in *London*, who ſhou'd have Orders to furniſh them with Money and Means of Conveyance beyond Sea, if there were occaſion. They commended His Majeſty to the Divine Protection, with very hearty Prayers: And it proving a Cold Night, he accepted of Mr. *Huddleſton*'s Cloak to *Bentley*. Where His Majeſty being ſafely arrived, he made but a ſhort ſtay, but took the Opportunity of Mrs. *Lane*'s Paſs, and rode before her to *Briſtol*, the Lord *Wilmot* attending, for the moſt part, at a diſtance. In all which Journey Mrs. *Lane* perform'd the Part of a moſt Faithful and Prudent Servant to His Majeſty, ſhewing her Obſervance when any Opportunity wou'd allow it, and at other times acting her Part in the Diſguiſe with much Diſcretion.

For the Accidents and Encounters that happen'd after this, till the King Landed at Diepe *in* France, *my Lord* Clarendon's *Hiſtory may ſuffice.*

The very next Day after His Majeſty was gone from *Boſcobel*, being *Monday* the 8th of *September*, two Parties of Rebels came thither, the one being part of the County-Troop, who ſearch'd the Houſe with ſome Civility; the other Captain *Broadway*'s Men; theſe ſearch'd ſeverely, eat up their little Store of Proviſion, plunder'd the Houſe of what was portable, and preſented a Piſtol at *William Penderel*, but got no Intelligence from him. This Danger being over, honeſt *William* tender'd Mr. *Staunton* the Price of his Sheep: But *Staunton* underſtanding it was for ſome Cavaliers, refus'd to take the Money, but wiſh'd, *Much good it might do them.* After this, *William* was twice Queſtion'd at *Shrewſbury* for Concealing the King, by Captain *Fox*, and one *Lluellin* a Sequeſtrator; and *Richard* was much threaten'd by a peeviſh Neighbour at *White-Ladies*: But no Threats nor Temptations could prevail againſt their Loyalty.

After

After His Majesty's happy Restoration, the Five Brothers attended him at *White-Hall*, on *Wednesday* the 13th of *June*, 1660. when His Majesty was pleas'd to own their Faithful Service, and graciously dismiss'd them with a Princely Reward. And soon after Mr. *Huddleston* and Mr. *Whitgreave* made their humble Addresses to His Majesty, from whom they likewise received a gracious Acknowledgment of their Service and Fidelity to him at *Moseley*; and this in so high a degree of Gratitude, and with such a condescending Frame of Spirit, not at all puff'd up with Prosperity, as cannot be parallel'd in the best of Kings.



FINIS.

AN

APPENDIX

TO THE

HISTORY

OF THE

Grand Rebellion.

Consisting of some

Valuable PIECES, written by

The Right Honourable

EDWARD Earl of CLARENDON.

AND

Recommended to the *Perusal* of those who have read his former *Volumes*; as illustrating several PASSAGES therein.

To which is prefix'd

A new and particular *Account* of his Lordship's LIFE; from *good Authorities*, as well as *living Information.*

Together with

A large and full *Vindication* of his CHARACTER.

LONDON:

Printed by *H. P.* for JOHN WILFORD at the *Three-Flower-De-Luces* in *Little-Britain.*

M. DCC. XXIV.



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of *Lawrence Hyde* of *Gaſſage* St. *Michael* in *Dorſetſhire*; whoſe fourth Son was Sir *Alexander Hyde* of *Salisbury*, Father of Biſhop *Hyde* of *Salisbury*, and Sir *Robert Hyde*, Lord Chief Juſtice of the Common Pleas, Sir *Henry Hyde*, beheaded in *Cromwell*'s Uſurpation, and eight others, remarkable Men, and raiſed by the *Chancellor*. At fourteen Years of Age he was ſent to *Oxford*, and enter'd Student in *Magdalen Hall*; whence after taking Degree of *A. B.* he was ſent to the middle *Temple*, where he ſtudied the Laws. Some Years after, *viz.* 1640, he was choſen Member of Parliament for *Wotten Baſſet* in *Wilts*; but that Parliament being ſoon after diſſolv'd, he was again choſen the ſame Year for *Saltaſh* in *Cornwal*, to ſerve in that long and pernicious one which ſucceeded it.

The firſt conſiderable Appearance he made, was his oppoſing a ſnarling and captious Queſtion ſtarted by Mr. *Hambden*, upon the King's Meſſage for Subſidies; when *Vane*, by a Lye, overturn'd all, and fired the Parliament, which was the firſt Step toward that ruinous Rebellion that follow'd: The deſign of the Fanatick Party being to raiſe miſunderſtandings

ſtandings between the King and his Parliaments, as Mr. *St. John*, after the Diſſolution of that irrecoverable one expreſs'd by a Look and Words of uncommon Satisfaction. Mr. *Hyde* at this time ſeem'd of the Sentiments of the more cool and judicious Part of the Parliament, who were for regulating ſome Extravagances of Advice to the King, and ill concerted Meaſures of his Miniſters; and was ſo far in the Parliaments Favour, as to be appointed Chairman of a Committee for ſuppreſſing the Court of *York*, which extended over the four Northern Counties.

At this Time the Earl of *Strafford*, laſt Preſident of that Court, being on his Trial, and ſeveral Exorbitancies being laid to his Charge in that Poſt, there could not but be ſome recital of thoſe particular Grievances in that general Charge, which gave the Earl's Enemies great Reaſons to expect Mr. *Hyde's* Concurrence with the ſevereſt of the Parliament Meaſures, whatſoever they before imagined; but on the contrary, the ſame Afternoon the Earl of *Eſſex* meeting him at the Bowling-green in *Piccadilly*, he told him, he had done a piece of Service he did not intend,

meaning in reviving the Heat againſt the Earl, by ſpeaking againſt his Preſidentſhip, and hop'd now they would proceed againſt him with vigor; but Mr. *Hyde* had too much of the Patriot, and too little of the Partiſan, to give in to that bloody and illegal Proceeding.

THE Earl ſuffered; yet his Blood was but a taſt, not ſufficient to cool the Throats, much leſs quench the Thirſt of that inſatiate Party: And tho' they could not immediately point out more for the Slaughter, yet they reſolv'd to remove them, which they call'd evil Councellors from Court; but Mr. *Hyde* ſoon ſtill'd their Clamour by turning the Charge of evil Counſellors, upon one of their own Agents, and ſo Matters dropt.

HOW far his acting cautiouſly in theſe Reſpects might ingratiate him with the Court, does not appear; but long it was not, before a more general and greater Affair gave him Opportunity to ſignalize himſelf in the beſt Cauſe, a brave and good Man can appear in: For looking upon the Times when he lived, that we may better diſcover his Action and Conduct; we muſt know, that in Order to unhinge and new model our excellent Conſtitution in the

the State, no other Way for theſe reſtleſs and new fangled Men, but to begin with the Church, and therein its beſt Security under God and chiefeſt Beauty and Gracefulneſs of Order, that of Epiſcopal Government ; an Order which could by no means ſuit with the mean Taſte of the fantaſtick Books they had read, their ſuperficial Holineſs, and above all, their poor and narrow Imagination added to a Hatred and Enmity of all above them. A Bill therefore being brought into the Houſe againſt them, Mr. *Hyde* was put as Chairman of the Committee, where tho' he had not Opportunity of ſhewing his dutiful Sentiments by Speeches, as he had ſome time afterwards in the Houſe ; yet he ſo entangled that Debate in ſumming up their Reaſons, that the Bill, after a tedious Attendance, and indefatigable Application, was thought neceſſary to be laid aſide for a Year.

About this Time and Affair Mr. *Hyde* proteſting againſt ſome Deſigns of the Commons, great Clamours were made in the Houſe to expel him; but at length he was committed to the Tower, where after continuing a few Days, he reaſſum'd his Place in the Houſe.

In the vigorous and warm Proceedings of this Parliament, every former Grievance being rak'd into, and that of Ship-money riſing freſh, they impeach'd the ſix Judges who had declar'd for the Legality of it. Accordingly Mr. *Hyde*, with Mr. *Pierpoint*, and *Waller*, carried it up. The Speech of Mr. *Waller* on that Occaſion is printed at the End of his Poems, and the former has given us his own fill'd abundantly with Flowers of Oratory, to ſet off a conſiderable Share of Warmth againſt them, nor was he leſs induſtrious ſome Time after to join with the Houſe, in voting the Earl *Marſhal*'s Proceedings, a Grievance and illegal.

The King ſoon after his Return from *Scotland*, finding himſelf ſurrounded with Councellors who were no better than the Parliament Spies, and at a loſs for want of faithful and diſcreet Men to adviſe him, he made choiſe of ſuch of the Houſe of Commons as had appeared the moſt unbias'd and unprejudiced Men, and whoſe Proceedings, however oppoſite to the Court Intereſt, had a general Tendence to the Countries Good, and raiſing a calm Underſtanding between the King and his People. The Lord *Faulkland*, Sir

John

John Colepeper, and Mr. *Hyde*, were pitch'd upon as beſt qualified for that purpoſe: The Lord *Faulkland* was made Secretary of State; Sir *John Colepeper*, Chancellor of the *Exchequer*, and Mr *Hyde* had the promiſe of ſomething worthy his Services: The Advice and Pens of theſe Men were made Uſe of in the Diſputes between the King and his two Houſes; but Mr. *Hyde*'s covertly; for tho' the Proceedings were debated among them, (the two firſt being Men of excellent Judgments, and admirably qualifi'd to adviſe) yet the Reſolutions were drawn up, and put in Method by the latter; from the juſtneſs and perſpicuity of whoſe Stile, and the Method ſo well adapted to the Subject, and Uſages of the Houſe, it was, that his Majeſties Meſſages, Propoſals, Replies, *&c.* met with a better Reception from the World than thoſe of the Houſes; tho' the Redundance of his Stile rather rais'd a Peeviſhneſs, than Acceptance from the Parliament.

The Troubles of the Nation increaſing, and the popular Tumults, as well as Parliamentary Deſigns, the King thought it moſt convenient to go to *York*,

as imagining by Diſtance, the Parliament might be brought to a better Underſtanding: Or if, as it too plainly appear'd, they could be brought to no Meaſures, that he might have Elbow-Room to defend himſelf, and collect his Friends about him.

MR. *Hyde*, who had been long ſuſpected by the Parliament, even when the *Scots* Treaty was, as appears by the Caution given the Earl of *Rothes* of him, as but a rotten hearted Member, as they then term'd the Loyaliſts, and ever ſince his Management of the Biſhops Bill, and his Averſion to the Severity againſt Lord *Strafford*; and now by the Militia Affair grew now more and more under diſlike; and having concerted Meaſures with the Lord Keeper *Littleton*, in Order to his Journey to *York* with the Seal, he thought it not convenient to ſtay behind, and was Attendant with the King at the ſame Time he erected his Standard at *Nottingham*. It evidently appears how powerful a Man he was in the Houſe, and how formidable his Counſels might prove to their prejudice, from the particular Heat and Revenge the Parliament expreſs'd upon this Occaſion, by excepting him, in

their

their Commiſſion to the Earl of *Eſſex*, from all Hopes of Favour or Pardon.

Mr. *Hyde*'s Attendance on the King continu'd, and his Advice was made Uſe of in all the Councils, tho' as yet he had no particular Place at Court; but upon his Majeſties fixing at *Oxford*, he was pleaſed to call him to aſſiſt in the more publick and honourable Station of a Privy Councellor, and upon the remove of Sir *John Colepeper* to the Maſter of the *Rolls*, he conferr'd on him the high and important Place of *Chancellor* of the *Exchequer*.

The War had now ſpent its firſt Fury, and made Havock ſufficient to require a breathing Time and Reflection, with ſuch Attempts as might put a Stop to an Evil, of which the Beginning had been ſo bloody, and the Conſequence would neceſſarily prove totally deſtructive to the Nation. The Parliament, with whatever real Intent, made Overtures for a Reconciliation, and *Uxbridge* was propoſed as the Place of Treaty. Among the King's Commiſſioners was our Author, againſt whom the Parliament had ſuch imbittered Hatred, that upon receiving the King's Liſt of Commiſſioners, they not only abſolutely refus'd his Title of *Chancellor* of the

the *Exchequer*, but even that of Knighthood, which the King had lately conferr'd, tho' the laſt, after much debate, they allow'd him; and as it appeared by the Earl of *Louden*'s Diſcourſe with him at that Treaty, he was more odious to the Parliament, than any other of the King's Friends, as moſt able and ready to oppoſe all ſuch diſhonourable Overtures as they ſhould make.

The Treaty open'd with a Diſcourſe of Religion, and the Deſign of what they called reforming it; which Debate, and the other unſucceſsful ones of that Meeting, were finely and judiciouſly drawn up, and argued to by Sir *Edward*: The particulars ſee in his Hiſtory.

Soon after his return from this Treaty to *Oxford*, matters looking with a more deſperate face than ever, and the King's ſafety every Day threaten'd; it was thought highly reaſonable to divide the Royal Prize; that if thoſe Beaſts of Fury and Rapine ſhould ſurprize the King, yet ſtill the Hopes of Monarchy might be ſafe. The Prince therefore was ſent to the *Weſt*, and the King, for the better directing his Conduct, made choice of the moſt Wiſe and Prudent of his Privy Council

to

to attend him, among whom was Sir *Edward Hyde*: And the Prince, after his returning from *Bridgewater* to *Briſtol*, ſent him with others to *Exeter*, in order to meet the Weſtern Commiſſioners, to ſettle the Affairs of the Contribution, and fix the matter of Jurisdiction among them, when thoſe differences, heats and paſſions reign'd there ſo prejudicial to the King's Affairs; and after the Return of the other Lords (joyn'd with him) to the Prince, he was left ſole Manager of that Affair.

In the *Weſt* he continued with the Prince at *Barnſtable*, during the Confuſions there, of which he ſo warmly complains; but the King's Affairs growing ſtill worſe, and his Majeſty coming to *Ragland*, a Seat of the Earl of *Worceſter*'s, he ſent a Meſſage for the Lord *Colepeper*, and Sir *Edward*, to attend him as ſoon as poſſible: But the latter being not able to travel by reaſon of the Gout; the Lord *Colepeper* went and found the King at *Cardiffe* in *Wales*, who return'd with the King's Directions; that the Prince in Caſe of Danger ſhould go into *France*, before whoſe Return, Sir *Richard Greenfield* and Lord *Goring* had applied to Sir *Edward* with Propoſals for raiſing an Army

my of 12000 Men, which ſhewn to the Prince were approved off, and iſſued out accordingly.

Upon the Lord *Colepeper*'s Return, a great Uneaſineſs was expreſs'd by the Council, for the Reſolution taken by the King of the Prince's going to *France*, they having reſolv'd before, to carry him to any Part of the World, rather than ſuffer him to fall into the Hands of the Rebels; but *France* was the laſt Place they would chooſe: A Veſſel was always kept in readineſs for that purpoſe, and upon Receipt of this Letter, Sir *Edward* was ſent to *Pendennis* Caſtle, (to the ſecuring and garriſoning which Caſtle, he had been before ſent, with the Lord *Hopton*) to ſee that it might be in Readineſs, and Proviſions at Hand, in Caſe of ſuch an Exigence: This Journey was under pretence of giving Directions about the Cuſtoms.

After repeated Meſſages from the King for the Prince's Tranſportation, he remov'd from *Truro* to *Pendennis*, and thence attended by his Council, of which Sir *Edward* was chief Contriver, he took Shipping and landed at *Scilly*, and thence remov'd to *Jerſey*.

It is to be obſerv'd, that the King's Matters growing worſe, and his Hopes intirely fruſtrated, he repeated frequently his Charge for the Prince's going out of the Land, as abſolutely neceſſary to bring the Parliament to better Terms of Compliance; and *Denmark*, among other Places, was nominated; but the Queen's preſſing Commands prevailing, he went over to *France*, contrary to the Advice of Sir *Edward*, who ſtrenuouſly oppos'd it, as apprehending the Conſequences of it: This Journey of the Prince was approved of by none of his Council but the Lord *Colepeper*, the other ſtaying behind, and Sir *Edward* continu'd with the Lords *Capel* and *Hopton*, expecting the King's further Commands, who approv'd of their Councils, but ſeem'd diſſatisfied at their not attending the Prince into *France*, as appeared by the Diſcourſe the King had with Sir *William Davenant* when ſent from the Queen; upon which Occaſion it ſhould ſeem, that Sir *Edward* had ſome Enemies who miſrepreſented him, both to the King and Queen, upon this Occaſion; for when the King was in the Armies Hands, and at *Hampton-Court*, the Lord *Capel* waited on him,

and

and gave his Majeſty the Reaſons that induc'd the Council to ſtay behind the Prince; whereby, ſays Sir *Edward*, he put it out of any Bodies Power to do the *Chancellor* of the *Exchequer* any ill Offices; and the King with his own Hand wrote a very gracious Letter, and ſoon after ſent him his own Memorials of all that paſs'd from the Time Sir *Edward* left him at *Oxford*, to the Day the King left *Oxford* to go to the *Scots*; and the King, aſſur'd of his Fidelity, ſent him ſtrict Charge to attend the Prince whenſoever he or the Queen ſhould ſend for him; and at the ſame Time ſent to the Queen, that whenever any Affairs of the Prince in *France* were ripe for Action, ſhe ſhould ſend for the *Chancellor* of the *Exchequer*.

Not long after this the King was murdered, and the Prince now ſucceeding, ſwore Sir *Edward* and other Commiſſioners of his Father's, of his Privy Council. The firſt Affair Sir *Edward* appear'd in after it, was, to give a meeting to the Marqueſs of *Montroſs* at *Sevenburgh* in *Flanders*, and afterwards at a Village three or four Miles from the *Hague*, to excuſe his nearer Interview with the

King,

King, as improper at that Juncture of Affairs.

Upon the killing *Doriſlaus*, and a Coldneſs and Indifference in the *Hollanders* towards his Majeſty, who for that Reaſon was about to leave *Holland*. The Lord *Cottington*, who liv'd in the ſame Houſe, and kept it with Sir *Edward Hyde*, lay'd the Deſign of the *Spaniſh* Embaſſy, which the King approv'd of, and nominated them both his Embaſſadors extraordinary thither; but before they ſet out for this Embaſſy, it was adviſable to draw up a Declaration; but it ſtop'd there, and was never publiſh'd.

And now nothing remain'd in order to this Journey, but Money to defray their Charges, having out of 20000 *l.* lent the King by the Prince of *Orange*, only ſo much as defray'd their Charges to *Paris*. They embark'd for *Antwerp*, where Sir *Edward*'s Lady and Family had been 10 Days, and were ſettled. After two or three Days ſtay at *Antwerp*, they went to *Bruſſels*, to procure Money from the Arch Duke, and the Duke of *Lorrain*; from the latter of which, having got 2000 Piſtoles, they returned to *Antwerp*, to negotiate the Return of their

their Money to *Madrid*: Hearing at this Place of the King's being at *Breda*, from whence he intended for *France*, they resolv'd to stay there till the King went by, and till the Interview with the two Mothers was over, that they might better know how the Weather would prove: Soon after the two Embassadors prosecuted their Journey to *Paris*, and thence to St. *Germains*, where the King and Queen Mother were; the latter of which finding a Reservedness in the King's Temper, upon a private Audience, complained of it to Sir *Edward*, which the *Chancellor* reported to the King; at which Time he likewise oppos'd the extravagant Design of making *Windebank* Secretary, which was quash'd by the hum'rous Project of the Lord *Cottington*: About the middle of *September*, the Day after the King set out for *Jersey*, the two Embassadors for *Spain* waited on the Queen Mother on her return to the *Louvre*; and now having provided Passes for their Journey, they waited on the Queen Mother of *France*, the Cardinal *Mazarine*, the Duke of *Orleans* and Prince of *Conde*; by the two first of which they were civilly received, by the

Duke

Duke insolently repuls'd, and by the Prince handsomely put off from a Visit. Setting out from *Paris*, they come to *Bourdeaux*, thence to *Bayonne*, &c. (The Particulars of which Journey, see in his History,) and to *Madrid*, where the Court receiv'd them handsomely enough, and pitied the King their Master's Affairs; but by Reason of the Rupture with *France*, could grant no present Assistance: By which the Ambassadors plainly perceiv'd what Interest the new created Commonwealth had over the Court, which was confirm'd by the Affair of Prince *Rupert* and his Fleet; but the King being soon after invited into *Scotland*, they perceiv'd it influenc'd the Court to respect them the more, and to redress several Grievances done to the *English* Merchants, of which they complain'd; but upon the Defeat of *Argyle*'s Army the Scales turn'd again, and the Court at *Madrid* put on an Air of more Coldness and Indifference than usual; and upon *Ascham*, the Rebel's Envoy being murdered there, in which one of their Servants was concern'd, they were desir'd to leave that Court in a manner

 unhand-

unhandſome enough, and at a Seaſon when they could ill Travel: But it ſeems, that this was not the only Reaſon; for they were haſten'd away, leſt they ſhould ſee the Furniture (which that King, as others had baſely done) bought of *Cromwell*, belonging to the Royal Palaces. Here the Lord *Cottington* ſtaid and ended his Days in *Spain*, where he was familiar, and Sir *Edward*, with Letters of Favour to the Arch-Duke, return'd to *Antwerp*, where he had the Reſpect of an Ambaſſador ſtill paid him, being allowed a Chappel, whither thoſe of the Church of *England* repaired, a Practice unknown there; and heavily (but to no Effect) complained of.

In his Return through *France*, he waited upon the Queen Mother, who now laboured under the Concern of the Army's Defeat in *Scotland*, the Death of the Prince of *Orange*, and the unlucky Adventure of the Duke of *York* to *Bruſſels*; and conſulting with Sir *Edward* in theſe Difficulties, he requir'd the Return of Liberty for Dr. *Couſins*, to read Prayers to her *Engliſh* Servants in the *Louvre*, as he had hitherto done, but was lately prohibited; but this was to no

no Purpoſe: Soon after his Return to *Antwerp*, he went to *Breda*, to find the Duke of *York*, and influenced his Return to *Paris*.

The King having loſt the Day at *Worceſter*, and being miraculouſly preſerv'd in his Eſcape, arriv'd in *Normandy*, and ſoon after coming to *Paris*, he ſent to *Antwerp* for Sir *Edward*, which Journey Mr. *Long* endeavoured (at the Queen Mother's Influence) to prevent; not caring he ſhould be about the King; but he being come notwithſtanding, was by her receiv'd very graciouſly. Here he met with the Marqueſs of *Ormond*, with whom he had a long Friendſhip, and by whoſe Advice and Aſſiſtance the King's Affairs, while he was beyond Sea, were never better carried on.

The Duke of *York* being ſpirited on by thoſe about him to go into the Army, was diſſwaded from it by Sir *Edward*; and the Queen, as well as the King, thought it not well; the Duke had been ſet againſt Sir *Edward* before; but coming to mention this Deſign to him, and finding him leſs warm, and more reſerv'd than he expected, confirm'd him in this Opinion.

Sir *Edward* being now the only Counſellor of the King's Father remaining with him, he made up a Council Board, adding to him the Marqueſs of *Ormond*, Lord *Jermain*, Lord *Wilmot*, and reſolv'd to conſult them in all Affairs: And Sir *John Berkley* endeavouring after the ſame Honour; and not being able to influence Sir *Edward* in that Affair, broke off a cloſe and long contracted friendſhip that had been between them.

The Affair of the Duke of *York*'s going into the Army being reaſſumed, and a Council call'd, at which the Queen Mother, and the Duke were preſent, Sir *Edward* nicely manag'd that Affair, ſo as to oblige all Parties; and the Duke went to the Campaign, where he afterwards made ſo conſiderable a Figure.

The Affair of Sir *Edward* diſſwading the King from going to the Aſſembly at *Charenton*; his Conſults with the Marqueſs of *Ormond* concerning the *Scotch* Affairs; his Addreſs to the King to be excuſed from medling, by the Reaſons of the *Scottiſh* Averſion to him, *&c.* and the King's poſitive Perſiſtance in it; his Sentiments in the propoſed Marriage between the Duke of *York* and Madamoiſelle *Longueville*;

gueville; his Exceptions to that of the King, with the Duke of *Orleans*'s Daughter; his diſſwading Mr. *Wogan*'s Enterprize, *&c.* as they are not very material, I refer the Reader to his Hiſtory.

About the Year 1656, the Queen Mother, who had long ſuſpected Sir *Edward* for oppoſing her Power with the King, conceiv'd ſo ſtrong an Averſion to him, that ſhe would not ſpeak to him, nor take the leaſt Notice of him when ſhe ſaw him, and publickly declar'd, ſhe deſired nothing more than to remove him from the King, which Sir *Edward* equally deſired, if his Conſcience, and the Neceſſity of the King's Affairs would ſo permit; at which Time the Presbyterians and Papiſts, to whom he was equally obnoxious, petitioned the King to the ſame Purpoſe, which ended in a common Table Jeſt: But the Queen, ſtill implacable, complained to the Queen Regent, that Sir *Edward* raiſed Differences between the King and her, (which the King wittily rally'd) and continuing her Hatred upon Prince *Rupert*'s Return, and *Herbert*'s being at her Interceſſion made Lord Keeper, ſhe not only perſwaded the Prince that Sir *Edward* had ſet the King upon calling him to an Account as to the

State of his Fleet; but her ſelf, in order to leſſen his Authority, preſented a Petition, that Mr. *Long*, who had misbehaved himſelf, might be again reſtored to his Place of Secretary of State, and uſual Attendance, which from his going with the King into *Scotland* to this Time, had been ſupply'd by Sir *Edward*; but the King abſolutely refuſing, another baſe and moſt incredible Expedient was us'd; for *Long* directly charges him with High Treaſon, and Correſpondence with *Cromwell*, and that he had been ſeen to go into *Crowwell*'s Chamber in *Whitehall*, and continue there ſome Time in Conference with him; but this Scandal was eaſily diſprov'd by Sir *Edward*'s offer to produce Witneſſes where he had been for every Day ſince his Return from the Embaſſy; and the King with ſome Indignation to his Accuſers acquitted him; this Plot of *Long*'s appear'd more plainly after the King's Reſtauration; for the Maid Servant whom *Long* offer'd to produce as an Eye Witneſs of Sir *Edward*'s Admiſſion to *Cromwell*, came to him, and told him, that ſhe had been carried to *Roan*, by one *Maſſonet*, employ'd by *Long*, and tamper'd with by *Long* to prove it, and

offered

offered Money, and a good Service at *Paris*, which when ſhe refus'd to do, he gave her Money, and ſent her back; of this Sir *Edward*, then Chancellor, inform'd the King, but upon Mr. *Long*'s timely Submiſſion he forgave him.

But the Queen's Deſigns thus baulk'd, were renew'd by the Lord Keeper *Herbert*, who at the ſame time charg'd him with ſpeaking diſreſpectfully of the King, and the Lord *Gerrard* was produc'd to prove it; from which likewiſe the King acquitted him, and from that time there were no more Attempts againſt him: But the Queen's Anger was raiſed to that Height, that when the King was oblig'd to leave *France*, and go into *Germany*, the Queen was with much difficulty prevail'd with to ſee him at his Departure from the *Louvre*.

The King now proceeding on his Journey, at *Aſken* old Secretary *Nicholas* met him, to whom the King gave the Signet, which Sir *Edward* had kept for three Years, and added him to the Council, to Sir *Edward*'s great Satisfaction.

It will be needleſs to dwell upon every little Occaſion, wherein Sir *Edward* was conſulted, and his Opinions given

thereon; his Diſcovery of *Manning*'s Treaſon, his Journey to *Bruſſels*, to confer with *Don Alonſo d'Cardenas*, about a Deſign upon *England*, &c. ſince it is ſufficient to know that the Lord Keeper *Herbert* dying *Anno* 1657, his Majeſty was pleaſed to deliver the great Seal to Sir *Edward*, and conſtitute him Lord High Chancellor of *England*.

Upon the Death of *Cromwell*, and Diviſions in *England*, *Monk*, being ſuppos'd to have a favourable View to the King, his Friends in *England* began to entertain ſome Hopes of a Change; and the Year before the King's Reſtauration, the *Chancellor* was indefatigable in Writing Letters, Declarations, *&c.* to forward it; eſpecially during that ſix Months the King was abſent from *Bruſſels*. Biſhop *Burnet* ſays, he wrote in the King's Name, and perſwaded the King to write to all the Leading Men, and ſent Dr. *Morley* over to talk with the Presbyterians, to ingratiate himſelf with them under the Notion of a Calviniſt, and his Communication with * Doctor *Barwick*

* *See Page*, 273, &c. *of this Book.*

and

and others, ſhew his unwearied Diligence in that Affair: But while theſe things were agitating, an honourable Cloud ſeem'd to threaten him, for the Duke of *York* taking ſtrong liking to Mrs. *Ann Hyde*, the Chancellor's eldeſt Daughter, reſolved to marry her, which with all the Secrecy, both from the King and Chancellor, he perform'd; this was afterwards thought a great Preſumption in the *Chancellor*, as if deſign'd by him; but it evidently appears, he was in no Way privy to it: However, it was of happy Conſequence, producing two Queens of *England*, of which the latter for the Happineſs of her Reign, her ſingular Piety, Munificence, and every princely Virtue, will be the Favourite Theme of the *Engliſh* Nation.

The King reſtor'd, the *Chancellor* now reviſited his native Country, where not long before he had been proſcrib'd; and as he had been the greateſt Sharer of his Maſter's Sufferings, had a Share proportionable of his Glory: Soon after this, the Marqueſs of *Hertford* dying, the loyal Univerſity of *Oxford* made Choice of him for *Chancellor*, and he was inſtall'd accordingly the fifteenth of *November* this Year, and the King about that time created

ted him Earl of *Clarendon*, Viſcount *Cornbury*, and Baron *Hindon*.

The Convention Meeting, he made an excellent Speech by the King's Order, deſiring a Bill of Oblivion might be brought in, as the beſt Method to engage his Majeſty to his Subjects: And ſpeaking of this great Clemency to the People, it will be proper to take Notice that the *Chancellor* ſtands highly charg'd with adviſing the King, that not only Clemency, but ſignal Favours ſhould be ſhown towards thoſe who had indefatigably oppos'd his Father and himſelf; and at the ſame Time a barbarous Slight and Neglect of thoſe who had bravely and loyally ſacrificed their All, and ventured their Lives in his Service; and this upon a curſed and worſe than *Machavilian* Maxim, "that to make his Enemies "Friends, would ſecure them to him; and "the Loyaliſts had given ſuch Proofs "of unchang'd Fidelity, that Forgetfulneſs or even Perſecution it ſelf could never alter their Dictates of Honour, and "Conſcience, and therefore might ſafely "be put off with the Satisfaction of having done their Duty". This which the *Chancellor* ſolemnly deny'd to the laſt, has

has been charg'd upon him; but I believe without the leaſt Reaſon; a Maxim ſo baſe, as cannot be imagin'd to proceed from a Stateſman, who bears a Character ſuperior to little and baſe Aſſiſtances, uſually called in by them; but from whatever Quarter it came, it was fatally follow'd, as in the Inſtance of *Shaftsbury*, *Angleſey*, *Hollis*, *Mancheſter* and *Roberts*, and Perſons even at his Father's Tryal, were brought to Favour; and that reſtleſs Spirit which can never be obliged, enabled to make the End of his own Reign very uneaſy; and that of his Brother's entirely miſerable.

HOWEVER the *Chancellor* may ſtand acquitted of this heavy Charge; it is flagrantly true, that he ſhew'd great Countenance to ſome remarkable Perſons of that Party, as Dr. *Owen*, who being ſo virulent againſt the martyr'd King, that it was wonder'd why he ſhould be left out of the Act of Oblivion; yet Sir *Edward*, (ſays an * Author who too frequently builds on the Pamphlets of nameleſs Writers) treated him with Kindneſs and Reſpect, and

* *Wood Athæn. Oxon.*

adviſed

adviſed him to write againſt Popery; but he being taken in a Conventicle afterwards, loſt his Favour.

The Story of *Thurloe*'s being diſcharged by him upon delivering up ſome Letters formerly received, is likewiſe aſſerted, but not prov'd. Sure it is, the Nation had not greater wonder at any Thing, than that Villains ſhould be preferr'd; but whether he adviſed the King to ſo great Clemency or no, or whether (which is moſt probable) he only preſs'd to him, to ſtand to his Promiſes, which himſelf had made in his Name, and of which he kept an exact Regiſter; we have great Reaſon to bleſs his Memory, for diſſwading the King from accepting that Load of Prerogative which the Parliament in violent Extreams would have heap'd upon him, and which muſt inevitably have enſlav'd the Nation, and ſubjected us to the Fury of thoſe fatal Councils, which ſhortly after took Place; though Dr. *Burnet* would perſwade us, the unconditional receiving the King through his Perſwaſions, gave Way for them: But this is certain, that he took Care neither to load the Prerogative, or encroach upon the Liberties; and therefore he would neither ſet aſide

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the Petition of Right, nor endeavour to raiſe the Star Chamber, or high Commiſſion Courts again, when it was eaſily in his Power; neither did he endeavour to repeal the Bill for Triennial Parliaments, till other matters were well ſettled; tho' at the ſame time he took Care to repeal all Things extorted by the long Parliament from King *Charles* the Firſt, and to ſettle the Militia Affair; but other Acts relating to the Prerogative, he did not touch upon, as Tonnage, Poundage, Shipmoney, *&c.* and when he might have ask'd, and had granted two Millions for the ſtanding Revenue, he ask'd but 1200000 *l. per Annum*, which he thought would ſtill put the King upon neceſſity of having Recourſe to his Parliaments; of this the King was afterwards ſenſible, and hated him mortally upon that Account; and was apt when any difficulty happened to him, to ſay, *All might have been prevented, if the Earl of* Clarendon *had been true to him.* This juſt and regular Conduct of the *Chancellor*, is, by a late * Hiſtorian, ſaid to be occaſioned

* Burnet's *Hiſtory of his Times.*

by

by a Domeſtick Accident, which was this: " When he firſt began to grow " eminent in his Profeſſion of the Law, " he went down to viſit his Father in " *Wiltſhire*; who one Day as they were " walking in the Fields together, obſer- " v'd to him, that Men of his Profeſſion " were apt to ſtretch the Prerogative too " far, and injure Liberty; but charg'd " him, if ever he came to any Eminence " in his Profeſſion, never to ſacrifice the " Laws and Liberties of his Country, to his " own Intereſts; or the Will of his Prince: " He repeated this twice, and immediately " fell into a Fit of the Apoplexy, of " which he died in a few Hours; and " this Advice had ſo laſting an Influence " on him, that he ever after obſerv'd and " purſu'd it.

After the Inſurrection of *Venner*, and the Fifth-monarchy Men, it was propoſed, that a Number of ſtanding Forces ſhould be continued to preſerve the King's Perſon, and quell any ſudden Tumults; but the ill Effects of this being too apparent, the *Chancellor* influenced the King to lay aſide any ſuch Deſign; the Bill of Indemnity was the next thing in Agitation; to the paſſing which, the Chancellor

lor earneſtly preſs'd the King, and which he perſwaded him to adhere to, in the moſt ſolemn Manner, ſince the breaking of Faith in that Point muſt for ever deſtroy Confidence. This gave great Offence to the Cavaliers, who, in mockery, were us'd to call it, an *Act of Oblivion and Indemnity*, ſaying the King had paſſed an Act of Oblivion for his Friends, and Indemnity for his Enemies: And in the Diſpoſal of Places of Truſt and Profit, there was too little Regard had to Merit and Sufferings; but theſe are thought to ariſe from the Cabals at Mrs. *Palmer*'s, rather than from the Chancellor; but what ſerved to make him moſt hated by the Cavaliers, was vindicating his Maſter's Actions; and when they complain'd of hard Uſage, he was apt to beat down the Value of their Services.

About this Time the Lord Chancellor's Daughter call'd upon the Duke to own his Marriage, ſhe being big with Child: This the Duke, as ſome ſay, endeavoured to divert her from, both by Threatenings and Promiſes; but ſhe, being a Woman of Spirit, inſiſted upon the Marriage, which was confirm'd by ſome Biſhops ordered to inſpect into it. This the

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Chancellor's Enemies were not a little gald of, as what they thought would create Jealouſy in the King, of the Chancellor's adhering to his Brother's Intereſts, and charg'd him with laying the Deſign; but the Chancellor ſolemnly declar'd his Ignorance of the Affair, till it was publick; and was ſo far from being elevated by it, that, with ſome concern, he told his Son, he look'd upon it as that which muſt be all their Ruin ſooner or later; however, the King had then that Value for him, that rather than break with him, he told the Duke of *York*, he muſt drink as he had brew'd, and live with her as a Wife, ſince he had made her ſuch.

AND now, as if every Thing conſpired to give the Chancellor's Enemies a Handle againſt him, *Foquet* the *French* Miniſter, ſent over to the King, to concert Meaſures for an Alliance with the two Nations, and the *Portugal* Match was propoſed, which brought with it the expenſive, and, at laſt, uſeleſs Dowry of *Tangier*; but what was worſe, a Woman incapable of the End of Marriage of ſuch Importance to Princes, as was then given out, but falſly; for

for the King, in a Letter to the Chancellor, the next Day tells him, the Marriage was consummated, and he was well pleased with her; and the King himself reported, she was once with Child; and Dr. *Willis*, the great Physician, asserted, that she had once miscarried, and was so far advanc'd, that with Care, the Sex might have been distinguish'd: However, she prov'd after a barren Wife, and was much slighted: And this was charg'd as the Chancellor's Design, that his Daughter might in time come to be Queen; but the Chancellor always protested he had no other Hand in the Matter than as a Chancellor. What further help'd to create him Enemies, was the *Bartholomew* Act, which was said to be push'd forward by him; and enforc'd by Stratagems, but falsly; which Act, however Just and reasonable in it self, was called the Heat of Persecution, and said to be kindled from his Quarter; and indeed, that excellent Zeal he express'd for the Church and Episcopacy was made no small Use of to blacken him; nor did he better express that Zeal in Regard to the Dissenters, than to the Papists, by pro-

curing an Act to be made, declaring it High Treaſon to ſay the King was of that Perſwaſion. By this Means ſhowing the King how odious that Religion was to his Friends, and qualifying the Deſigns of Cardinal *de Rhetz*, who had been over, in order to make Way for it in *England*.

And now that Church began to make Head againſt him, for the Earl of *Briſtol* procuring a Toleration in Religion, which, tho' pretended chiefly for Diſſenters, was deſign'd for Papiſts, the Chancellor and Biſhops oppoſed it in Council; but however it paſs'd; and *Briſtol* of the one Side, and *Buckingham* on the other, violently exclaim'd againſt him for his Oppoſition. Soon after the Church Party were alarm'd at *Briſtol*'s Deſigns, and the Chancellor's Friends laid open and exclaimed againſt his Proceedings, which made *Briſtol* his irreconcileable Enemy, as appear'd ſhortly after; for upon this, he drew up Articles of Impeachment againſt him, and ſhew'd them the King, who perſwaded him from them in a mild Manner; but the Earl in Anſwer told him, that if he forſook him he would raiſe ſuch Diſorders, that all

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England should feel them, and the King himself should not be without a large share in them; at which the King was so provok'd, that he durst not trust himself with answering him, but went out of the Room. Whatsoever secret the Earl of *Bristol* knew, the King was so influenc'd, that he, the next Day carried the Charge, which first charg'd the Chancellor with raising Jealousies of the King's being a Papist, and of Corresponding with the Court of *Rome*, to make the Lord *Aubigny* a Cardinal, and other mixt incoherent Stuff: This *Bristol* was so far from standing to, that upon putting it in, he absconded for fear; and having written a Letter to the Lords of the Danger of the Duke of *York*'s having Guards, there was a Proclamation to sieze him; but his Malice against the Chancellor he soon after effectually wrought out.

The *French* Interest now working, the *Dutch* War broke out at this Time, against which the Chancellor was most violently set; but he had no Interest, for *Palmer* had intirely influenc'd the King against him, as one whom she most intolerably hated, for his freedom of Speech to the King on her Account; his never

paying Visits to her; and above all, his never suffering any Thing to pass the Seals, in which her Name was mention'd; and to increase the Number of his Enemies, *Clifford* a Papist, and Leading Man, upon the Chancellor's declining to stand well with him, struck in to his Enemies, and assisted in his Ruin.

It is to be observ'd, that soon before the breaking out of the *Dutch* War, the King had given him a large Piece of Ground near St. *James*'s, to build a House on, which by extravagant Management of the Workmen, was made larger by much than he intended, and the Expense encreased to 50000 *l.* three Times as much as he design'd: This, by Way of Derision, they call'd *Dunkirk-House*, as built with the Money for which that Place was sold, which was impudently laid to his Charge. Others call'd it *Holland-House*, as built with Money from the States to oppose that War. The Envy this House would raise him, he was sensible of, and said it would ruin him. Another Accident was, his buying up the Rubbish Stones of St. *Pauls* towards that Building, which was likewise represented in a heinous Manner.

Nicho

Nicholas's Remove, *Bennet*'s Riſe, and *Southampton*'s Death, all conſpir'd to his downfal; *Caſtlemain* the Miſtreſs, and the Cabal all ſet againſt him; the Treaſury was put in Commiſſion, and he not intereſted there; and the King, who ſtood but ill with his Parliament, thought the diſgracing this Miniſter would oblige them; the Marriage with the Infanta was reviv'd againſt him; and *Clifford*, *Oſborn*, *Ker*, *Littletoun*, and *Seimour*, aſſured the King they intended, upon the Reſtauration, to have rais'd his Authority, but *Clarendon* oppos'd it, which increas'd the King's Hatred; who having given himſelf up to Pleaſure and Eaſe, was weary of the *Chancellor*'s Authority and Freedom: This was further heightned by the Diſappointment of the Dutcheſs of *Richmond*. And now the King conſulted with *Lauderdale* about it, and told him, Arch-biſhop *Sheldon* had approv'd of the diſgraceing him, and ask'd him if he had not, to which he Arch-biſhop, inſtead of gratifying him, made anſwer: Sir, *I wiſh that you would put away this Woman that you keep*; at which Reproof the King was much diſpleas'd. Certain it is, the King had entertained a very great Averſion to him,

and what rendered him the most despicable in his Eyes, was the scandalous Practices of blackening and ridicule.

In Order to which, *Marvel*, a vile and scurrilous Writer, who justly deserv'd the Scourge and severest Correction, rather than the Character of Wit, was employ'd to write *Clarendon's House-Warming*, his *Epitaph*, and under Sir *John Denham*'s Name, his *Directions to a Painter*; for which Pieces, tho' the Printer was pilloried, yet the Faction were wonderfully fond of them. And that insolent Buffoon Lord, the Duke of *Buckingham*, in Conjunction with another Profligate of his own Quality, and the Merry Andrew of the Faction, Collonel *Titus*, were employed, since they could not make him appear base to the King, to make him ridiculous, telling his Majesty, when they saw the Chancellor pass by, there goes your School-Master; and the Duke of *Buckingham* would mimick him in the King's Presence, would strut, put forward his Belly, (for the Chancellor was a fat Man) and carry a Pair of Bellows before him for the Purse, while *Titus* march'd before with a Fire Shovel for the Mace,

and

and this Monkey-Diverſion pleas'd the King too much.

And now the King reſolv'd upon delivering up his true and faithful Miniſter, who had not, indeed, for five Years before, any abſolute Power in the Management, not even from the King's Marriage; and therefore on the thirteenth of *Auguſt*, the King took from him the Great-Seal, and gave it to Sir *Orlando Bridgman*; and thus gave up his old faithful Servant, to thoſe who never left him till they had hunted him into Baniſhment.

Thus expos'd to the Fury of the Commons, on the 26th of *October*, Mr. *Seymour* charg'd him in that Houſe with many high Crimes and Miſcarriages. Upon which the Houſe enter'd into warm Debate how they ſhould proceed, whether by direct Impeachment in their Name, or by examining Witneſſes firſt, to ſecure the Charge: At length upon ſearching Records, and producing many Precedents, they proceeded, and ſeveral of the old Faction were chief Managers againſt him; but for him were the beſt and moſt honourable of the Members, amongſt whom his Son Mr. *Laurence Hyde*,

was ordered by the Chancellor to offer, if they made good one Article againſt him, to allow all the reſt. The Articles upon which he was impeach'd were as follows.

I. That the Earl of *Clarendon* hath deſign'd a ſtanding Army to be raiſed, and to govern the Kingdom thereby, and adviſed the King to diſſolve this preſent Parliament; to lay aſide all Thoughts of Parliaments for the future; to govern by a military Power, and to maintain the ſame by free Quarter and Contribution.

II. That he hath, in the Hearing of the King's Subjects, falſly and ſeditiouſly ſaid, that the King was in his Heart a Papiſt, or popiſhly affected, or Words to that Effect.

III. That he hath received great Sums of Money for the procuring of the *Canary* Patent, and other illegal Patents, and granted illegal Injunctions to ſtop Proceedings at Law againſt them, and other illegal Patents formerly granted.

IV. That he hath adviſed and procured divers of his Majeſties Subjects to be impriſoned againſt Law in remote Iſlands, Garriſons, and other Places, thereby

by to prevent them from the Benefit of the Law, and to produce Precedents for the impriſoning any other of his Majeſties Subjects in like Manner.

V. That he procured his Majeſties Cuſtoms to be farmed at under Rates, knowing the ſame, and great, pretended Debts to be paid by his Majeſty, to the Payment of which his Majeſty was not in Strictneſs Bound, and afterwards receiv'd Sums of Money for procuring the ſame.

VI. That he received great Sums of Money from the Company of Vintners, or ſome of them, or their Agents, for inhauncing the Prices of Wines, and for freeing them from Payment of Legal Penalties which they had incurred.

VII. That he hath in a ſhort Time gained to himſelf a greater Eſtate than can be imagin'd to be gained lawfully in ſo ſhort a Time, and contrary to his Oath he hath procured ſeveral Grants under the Seal from his Majeſty to himſelf and Relations, of ſeveral of his Majeſties Lands, Hereditaments and Leaſes, to the diſprofit of his Majeſty.

VIII. That he hath introduced an Arbitrary Government in his Majeſties Foreign Plantations, and hath cauſed ſuch

as

as complain'd thereof before his Majesty and Council, to be imprison'd for so doing.

IX. That he did reject and frustrate a Proposal and Undertaking, approv'd by his Majesty for the Preservation of *Nevis*, and St. *Christophers*, and reducing the *French* Plantations to his Majesties Obedience, after the Commissions were drawn for that Purpose, which was the Occasion of our great Losses and Damage in those Parts.

X. That he held Correspondence with *Cromwell* and his Complices, when he was in Parts beyond the Seas attending his Majesty, and thereby adhered to the King's Enemies.

XI. That he advised and effected the Sale of *Dunkirk* to the *French* King, being Part of his Majesty's Dominions; together with the Ammunition, Artillery, and all Sorts of Stores, there, and for no greater Value, than the said Ammunitions, Artillery, and Stores were worth.

XII. That the said Earl did unduly cause his Majesty's Letters Patent, under the Great Seal of *England*, to one Doctor *Crowther* to be alter'd, and the Enrolment thereof to be unduly rased.

XIII.

XIII. THAT he hath, in an Arbitrary Way, examin'd and drawn into Queſtion [illegible]rs of his Majeſty's Subjects, concerning their Lands, Tenements, Goods, Chattels, and Properties, determin'd thereof at the Council Table, and ſtop'd Proceedings at Law by Order of the Council Table, and threatened ſome that pleaded the Statute of 17 *Car.* I.

XIV. THAT he hath cauſed *Quo Warranto*'s to be iſſued out againſt moſt of the Corporations of *England* immediately after their Charters were confirmed by an Act of Parliament, to the Intent he might require great Sums of Money of them for renewing their Charters, which when they comply'd withal, he cauſed the ſaid *Quo Warranto*'s to be diſcharg'd, and Proſecution therein to ceaſe.

XV. THAT he procured the Bills of Settlement of *Ireland*, and receiv'd great Sums of Money for the ſame in a moſt corrupt and unlawful Manner.

XVI. THAT he hath deluded and betrayed his Majeſty and the Nation in all Foreign Treaties and Negotiations relating to the late War, and betray'd and diſcovered his Majeſty's Secret Councils to his Enemies.

XVII.

XVII. That he was a principal Author of that fatal Council of dividing the Fleet about *June* 1666.

WHICH Articles, being read, were offer'd to be prov'd by ſeveral of the Members, but only by Surmiſe and Hear-ſay; accordingly the twelfth of *November*, Mr. *Seymour* carried up an Impeachment of High Treaſon againſt him to the Bar of the Houſe of Lords, and deſir'd he might be committed to ſafe Cuſtody, till the Commons ſhould make good their Charge; but the Lords, diſſatisfied at this general Way of proceeding, ſent to the Commons on the fifteenth of *November*, to deſire a Conference in the Painted Chamber, where they informed them, that they had not confin'd the Earl of *Clarendon*, nor ſequeſter'd him from Parliament, it being againſt the *Petition of Right* ſo to do, till particular Treaſon was charg'd againſt him: This occaſion'd warm Debates and Reflections among the Commons; at the Head of whom was Sir *John Vaughan*, who had been intimate with Sir *Edward*; but upon the Reſtauration not meeting with that Favour he expected, he made a ſtrong Party againſt him.

THE

THE Lords perſiſting, as in Juſtice they ought, the Commons were ſo high-ly enrag'd, as to reſolve, that their *non Concurrence* in committing the Earl of *Clarendon*, was an Obſtruction to the publick Juſtice of the Kingdom, and a Precedent of evil and dangerous Conſequence. Matters running thus high, the Earl thought it high time to avoid the Storm, and the King to avoid the Heat of Parliament intimated, that *Clarendon* ſhould go over Sea; and let fall ſome kind Expreſſions, upon which he, who was all Obedience, in the Beginning of *December*, withdrew, and went into *Normandy*, Sir *Stephen Fox* being the laſt he ſaw, to whom he ſaid "dear Sir *Stephen*, give my humble "Service and hearty Thanks to all my "Friends you meet with, and let them "know from me, that if they can but "forgive the folly of the great Houſe, "they ſhall never have Reaſon to be "aſham'd or repent of whatſoever they "have done for me."

AT this withdrawing, he left a *Petition* to the Houſe of Lords which is printed; this the Lords receiv'd on the third of *December*, and ſent two of the Judges to acquaint the Commons of it, and deſir'd

desir'd a Conference, where the Duke of *Buckingham*, whom the Earl points at in his *Petition*, according to his fleering manner, delivering it to the Commons, " desir'd them, in convenient " Time, to send it to them again, for it " had a Stile which they were in love " with, and desired to keep it."

UPON this, the Heat of the House of Commons increas'd, and they voted the Paper scandalous and malicious, a reproach to the Justice of the Nation, and that it should be burnt by the Hands of the common Hangman, and on the thirteenth of *December*, the Lords sent down a Bill for banishing the Earl of *Clarendon*; the Commons were for issuing out a Proclamation for the apprehending him, which the Lords oppos'd, and so the Bill pass'd a Majority of twenty three, at which the King was much censur'd, and the Duke of *York*, and he, were strange for some Time.

THUS fell this great and excellent Minister, a Victim to two powerful Factions, and a Sacrifice to Integrity, Religion and Loyalty; the Causes of this fall, and secret Springs towards it have afforded matter for various Conjecture, tho' there

there appears no Room to doubt, but the Influence of the Queen Mother at the Head of the Popiſh Party on one Hand, and the Envy and Reſtleſſneſs of the Faction on the other, occaſion'd it: And both theſe equally miſrepreſented him to the King, who himſelf had, it is ſaid, ſome Reaſons to wiſh it; for beſides, that the Earl had an Air of Haughtineſs and Severity ill becoming the Freedom of a Court made up of gaiety and ridicule; he was a too nice Obſerver of the King's Actions; and being intent on nothing more than the good of the Nation, he did not endeavour to make himſelf ſo agreeable to his Majeſty, as conſiſted with diſcreet Caution. Some think his diſappointing the King of the Lady *Stuart*, whom he fancy'd, gave his Majeſty a diſlike to him, as appear'd by the violent Paſſion he expreſs'd to Lord *Cornbury*, whom by accident he met coming from that Lady's Lodgings the Day of her remove. Others that his obſtructing the Parliament Offers of Prerogative and Revenue; but the main Reaſon was, as the King tells the Duke of *Ormond*, the Chancellor's Friend, in a Letter, on this Occaſion, *his inſupportable Temper*; and we find the King very ready

ready and willing to declare to the Parliament upon taking the Seals from him, that *he would never employ him in any Place again*; and the Day after his flight, diveſted him of the Office of a Privy Councellor, and reprimanded Sir *Stephen Fox*, for voting in the Commons on his Behalf, calling it *voting againſt his Majeſty's Inclinations;* and not content with his Fall, endeavour'd to blacken and make him odious, and ſaid a great many hard Things of him, for which he was much blamed, and but a little believ'd; whatever the Motives were, it was ſure a hard and ungenerous Uſage for the King ſo ignominiouſly to ſacrifice one of the faithfulleſt Servants to his Father and himſelf, one by whom his Affairs had been judicioully managed from his Childhood, and to whoſe diſcreet Counſels, and indefatigable Application, he might in a great Meaſure, owe the Return to his Kingdom; to ſuffer him after he had ſpent his Strength in his Service, and before he had reſted from the Fatigue of Exile, to repeat it in his old Age, laden with Infirmities and invented Reproach.

THE Place of his Reſidence was at *Roan* in *Normandy*, where he continued ſeven Years to the Time of his Death; and in this Place he put in Order his *Hiſtory of the Grand Rebellion*, and wrote ſeveral other Pieces, amongſt the reſt, an Anſwer to that pernicious Book Mr. *Hobbes*'s *Leviathan*, which he dedicates to the King, but with Directions that *if the King declin'd accepting it, the Dedication ſhould be omitted*, and ſubſcribes himſelf, *his moſt faithful and obedient Subject, and one of the oldeſt Servants living to his Father and himſelf*; this Piece was written at *Moulins* one Year before his Death, and ſix after his Exile, at which time he ſays, "*He ſuſtain'd his weak and decay'd Spirits, with the Hope and Confidence that the King would at ſome time call to his Remembrance his long and incorrupted Fidelity and Service*".

See Page 307 of this Book.

NOR did he in his Receſs make the Defence of Monarchy, leſs his Care than that of Religion, which he vindicated in his Animadverſions on *Creſſy*'s Book againſt Dr. *Stillingfleet*, to which add his two Letters, one to his Daughter the Dutcheſs of *York*, and another to the

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Duke, upon a report of their Inclinations to Popery; but the Dutcheſs dyed before it came to *England*, and unhappily in the Romiſh Perſuaſion.

His Exile afforded no Subject for Hiſtory, by reaſon of the privacy of it, and he was quickly forgotten in *England*, and paſt Hopes of ſeeing it again, for had he liv'd till the Death of King *Charles* he would have found his Eſtate ſtill as deſperate by reaſon of the Diſturbances and Meaſures enſuing it.

After ſeven Years ſpent thus, and long vext with the Gout which his Watchings, Studies, *&c.* for the King's Affairs brought upon him, a violent fit of it put an end to his Baniſhment and convey'd him to that happier Home, where no Party or Faction, no Envy or Detraction are to influence an all-good and all bountiful Maſter to forget or ſlight thoſe who ſpend their Time in a ſtrict and indefatigable Attendance and Application to his Service; this happen'd on the *9th* of *December*, 1674. His Body was embalm'd put in a Leaden-coffin and brought over into *England*, and repoſited in the Sacriſtory ſurrounding St. *Edward*'s Shrine in the Abby Church of *Weſtminſter*,

minſter, with his Feet touching the middle of the loweſt Step aſcending to *Henry* the VII's Chapel.

THUS died the beſt good Miniſter that *England* has ever yet produc'd, the fitteſt Servant for his martyr'd Prince, and a fine Copy of him in leſs, of whom it is doubtful to ſay whether his Piety, Loyalty, or popular Integrity, were moſt predominant; the old King, who knew how to value ſincere Merit, and deſpis'd thoſe mean Artifices of State Fraud which if practic'd might have prevented his fatal overthrow, and expreſs'd a juſt Senſe of his Servants Fidelity in his Anſwer to Sir *William Dav'nant* ſent by the Queen Mother to complain of him, *That the Chancellor was an honeſt Man, and would never deſert him nor the Prince, nor the Church*; and the ſame Opinion had all the glorious Fellow Sufferers with that Prince, the old Marqueſs of *Ormond*, the Earl of *Southampton*, Sir *Stephen Fox*, &c. But in this bare Character without the Aſſiſtances of Cunning he was the Character he gives of Archbiſhop *Laud*, " He believed In-
" nocence of Heart and Integrity of
" Manners was a Guard ſtrong enough
" to ſecure any Man in his Voyage

 " through

" through the World in what Company " ſoever he travell'd; " Certain it is, the Adminiſtration was never happier moderated than when when he was alone at the Helm, and Things wore a much more confus'd Face, when other Steerſmen ſucceeded; ſo that what his Son Mr. *Lawrence Hyde* generouſly mentioned in the Houſe upon a Reflection made on him after his Death, *viz.* 1680, was admirably Juſt, when reflecting upon their raking into his Aſhes he obſerv'd, " That he and his Family had ſuffer'd " enough by his Misfortunes occaſion'd " by dark Intereſts and Intreagues of " State, that many Thought he was ſe- " verely chaſtis'd when living, that he " was ſorry to ſee ſome others could not " ſpare him though dead; but that for " his Comfort, he had heard, that he was " a good Proteſtant, a good Chancellor, " and that we had worſe Miniſters ſince". If he was too favourable to the Faction (which is what is chiefly endeavour'd to be prov'd,) he ſeverly ſuffer'd by that Power himſelf had ſcreen'd. But in one Word it is to his Honour and will be ſo to future Ages, that whatever ſecret Springs or helliſh Devices brought about his

his Diſgrace, the Perſons whoa ppear'd in it, were equally Enemies to the Church, and Monarchy, and he ſeems to have ſuffer'd for nothing more, than Religion, and Love of his Country.

But leſt the Accuſations of his Enemies ſhould have the leaſt Colour of Truth for want of direct Contradiction, and his own Merits ſhine in a Miſt for want of true Light, and diſtinct Proof. I direct the Reader to his Vindication; which, however ridiculous eſteem'd then, has ſince had an implicite Reverence paid it; and to back this, I ſhall mention a plain Inſtance of the Integrity and Sincerity of this Man which was this, " about " the Year 1662, when Monſ. *Fouquet* " upon *Mazarine*'s decline of Health " gain'd an Aſcendant in the *French* " Councils, he ſent Overtures for an Alli- " ance between *France* and *England*; " theſe were principally addreſs'd to the " Earl of *Clarendon*, and amongſt them " the Match with *Portugal* was one, *Fou-* " *quet* deſir'd to engage in a particular " Friendſhip with him, and ſent him " the Offer of 10000 *l.* and Aſſurance " of it yearly. *Clarendon* aſſur'd him he " would lay all before the King, and

See Page 257 of this Book.

Burnet's *Hiſtory of his Times*, p. 167.

 " give

" give him a ſpeedy Anſwer; but for " what related to himſelf, he ſaid, he " ſerv'd a great and bountiful Maſter, " who knew how to reward and ſup- " port his Servants: He would ever " ſerve him faithfully, and becauſe he " knew he muſt ſerve thoſe from whom " he had it, he rejected it with great in- " dignation. He laid before the King " the Propoſals for the Alliance; and " next told both the King and his Bro- " ther what was offer'd himſelf, upon " which they both advis'd him to ac- " cept it, why ſaid he, have you a Mind " I ſhould betray you, the King an- " ſwer'd he knew nothing could cor- " rupt him. Then ſaid he, you know " me better than I do my ſelf; for if I " take the Money I ſhall find the ſweet " of it and ſtudy to deſerve it, that it " may be continu'd. And thereupon " warn'd the King of the ill Conſequence " of having Miniſters Penſioners to " foreign Courts ".

The ſame Hiſtorian clears him from the Sale of *Dunkirk*, in the plaineſt and moſt convincing manner, as he does likewiſe of the *Portugal* Match, that of his Daughter, and the moſt material Heads of

of his Accuſation; and leaves only that to his charge which will eternally redound to his Glory, "an obſtinate Goodneſs, which would neither ſooth nor "connive at the Pleaſures of a Prince "given too much up to eaſe; and a Court "entirely poiſon'd by Debauch". But take his Character in the Words of that Hiſtorian, who is ſo little apt to praiſe any thing, that, where he beſtows it (as in this caſe he does) excluſive of party; we muſt ſuppoſe ſomething extraordinary to engage it.

Bp. Burnet's *Hiſtory of his Times.*

"THE Earl of *Clarendon* was bred "to the Law, and was like to "grow eminent in his Profeſſion when "the Wars began. He diſtinguiſh'd himſelf ſo in the Houſe of Commons, that "he became conſiderable, and was much "truſted all the while the King was at "*Oxford*. He ſtaid beyond Sea, following the King's Fortune till the Reſtoration; and was now an abſolute "Favourite, and the chief or the only "Miniſter, but with too magiſterial a "Way. He was always preſſing the "King to mind his Affairs, but in vain. "He was a good Chancellor, only a

 "little

" little too rough, but very impartial in
" the Adminiſtration of Juſtice. He
" never ſeem'd to underſtand foreign
" Affairs well: And he meddled too
" much in them. He had too much
" Levity in his Wit, and did not al-
" ways obſerve the Decorum of his
" Poſt. He was high, and was apt to
" reject thoſe who addreſs'd themſelves
" to him with too much Contempt.
" He had ſuch a Regard to the King,
" that when Places were diſpoſed of,
" even otherwiſe than he advis'd, yet
" he would juſtify what the King did,
" and diſparage the Pretenſions of o-
" thers, not without ſome Scorn; which
" created him many Enemies. He was
" indefatigable in Buſineſs, tho' the
" Gout did after diſable him from
" waiting on the King: Yet, during
" his Credit, the King came conſtan-
" tly to him when he was laid up by
" it".

THUS far Dr. *Burnet;* but that I may add the utmoſt Honour to this great Man's Memory; I ſhall extract another Character from the excellent, and une-

quall'd

quall'd Preface to his Hiſtory, the ingenious Writer of which (who was known to the Chancellor) ſeems to have form'd the moſt noble as well as juſt Idea of him and his Affairs; who deſcends not into Particulars of his Life, but deſcribes *a great and ſuperiour Miniſter, and in ſome Degree a Favourite, who made an excellent Figure for about two Years after the Reſtoration of his Maſter, who during that Time relied entirely on his Advice and Conduct,* " who tho' join'd in Coun-
" cil with other Honourable Perſons, as
" the Earl of *Southampton,* the Duke
" of *Albermarle,* the Marquiſs of *Or-*
" *mond,* Earl of *Sandwich,* and Secreta-
" ry *Nicholas,* yet *had the* Preference of
" them all in the King's Favour and E-
" ſteem, by his Prudence, Knowledge,
" and Experience, in which he ſhar'd
" with them, and his indefatigable La-
" bour and Pains, wherein it is moſt
" certain they did not ſhare with him.
" He had the Happineſs (without their
" Envy and with their Concurrence) to
" have the greateſt ſhare in diſpoſing
" the Minds of the People and the King
" to agree then on ſuch Meaſures in Par-
" liament, as laid the Foundation of that

" Peace,

" Peace, Plenty, and Proſperity, we have " ſince enjoy'd; and goes further ", that he had the greateſt Share in preſerving the Conſtitution of the Government; when the People *were too ready to go into any* undue Compliance with the Crown, and by the Acts of Oblivion, of confirming judicial Proceedings, and of uniformity; *by which* the Church of *England* was reduc'd from the Oppreſſions it had lain under, and eſtabliſh'd and ſet up by the Laws of the Land. It was whilſt he was in Credit, King *Charles* declar'd in his Speech " *That* in all his Deliberations and Actions his principal Conſide- " ration ſhould be, what will a Parliament think of them. Having thus ſhewn the great and good Miniſter with excellent Reflections on his Conduct, he endeavours after Reaſons *how he came* to leſſen in his Credit, and afterwards in the Space of five Years to fall quite out of that King's Favour, and be diſgrac'd; in which, touching on the Articles of Impeachment, he ſays that the Sons of the Chancellor would omit no Occaſion of juſtifying their Father's Innocency; if there " were at this time of Day any need ſo " to do, but that the World had laſted

" long

" long enough ſince the Death of this " Honourable Perſon, to be throughly " convinc'd, that there was nothing in " all thoſe Articles exhibited againſt him " in Parliament, that did in the leaſt " touch or concern him; and that there " is no need now of the Vindication of " ſuch a Man, whom every Body in their " Conſciences do not only acquit of any " Crime; but all good Men ſpeak of " with Honour, and who ſtill lives in " the Opinion of all true *Engliſhmen* in as " high a Reputation as any Man to this " Day". But in the handſomeſt and moſt modeſt Manner imaginable, conſiders, that the good Natur'd Prince, King *Charles* II was in this Caſe prevail'd on to the hard uſage of the moſt faithful and ancient Servant then alive to his Father and *himſelf, and* not only ſo, but *to* conſent to an Act of Parliament, that oblig'd this his poor Servant to end his Days in Baniſhment with old Age and Infirmities to attend him; and that it might be thought a little hard-hearted to inflict this upon a Man who had the Honour and Happineſs in the more vigorous part of his Life to have led the King himſelf through his own Exile, with Credit

and

and Dignity; and with more Honour and Reputation than uſually attends unfortunate *Princes that are depriv'd of their own Dominions;* and at laſt had the Happineſs to have ſo conſiderable a ſhare in the Conduct of the Reſtoration, by the Correſpondence he kept in *England*, and the fine Picture he drew of the King in his Letters to his Friends. And laſtly, by his Letters from *Breda*, ſo admirable as to be all of them ſoon after turn'd into Acts of Parliament. This Gentleman anſwers the Objection of the Duke of *York*'s Marriage, and tells us the King's extraordinary Aſſurances ſoon after that Accident gave no room for ſuch a Diſpleaſure: This however, was by "thoſe "wicked Men, his Accuſers, made Ad- "vantage of, to accuſe his Innocence; "who ſuggeſted that to ſatisfy his Ambi- "tion he would forfeit his Integrity, and makes (on this Occaſion) the Obſervation *Tacitus* does on *Granus Marcellus* his being accus'd to have ſpoken ill of the Empeours. *Inevitabile crimen, nam quia vera erant, etiam dicta credebantur;* which he applys to the Children born conſequent to the Duke's Marriage, and the Barrenneſs of the Royal Bed, giving Grounds for

for a double Accuſation of the Chancellor's being concern'd in both. He proceeds to clear the Chancellor from adviſing the Marriage with *Spain*, and the Calumny of adviſing the King to reward his Enemies and ſlight his Friends, from which he thus finely clears him. "God "forgive (ſays he) the Inventors and Con- "trivers of that foul Calumny; but by "his almighty Providence, it was not "long before that Party was diſabus'd: "For tho' the Chancellor, for ſome time, "bore the blame, that they had not been "more conſider'd; it was quickly found "that it was not from him, but from "the miſtaken Politicks of the Stateſmen "that they were deſign'd to be neglec- "ted; nor did they find themſelves more "taken Notice of after his removal"; but theſe were too ſlight and unreaſonable, frivolous, and unjuſt, to raiſe the King's Diſpleaſure, who wanted not the niceſt Penetration; but the Powers were the Papiſts, and the Ladies; the firſt, fearful of his defeating their Projects againſt the King's Intereſt, and the other againſt his Credit and Reputation; for the Chancellor had ſeveral times taken the liberty with the King to talk the

private

private ſcandal of their Lives, and the publick one of their Converſations. The King (continues he) who expected eaſe by getting rid of this old importunate Councellor, who had Courage to tell him bold Truths had no eaſe ever after; and thoſe Women and Factions grew too hard for him, and made him in ſome Hours of his Life "*wiſh he had his old* "*Chancellor again*, whom he knew a bet- "ter Pilot than his new Statſemen". He laſtly cloſes the Character in this fine and pathetick Manner: "Whatever misfor- "tunes he might have in his Life, what- "ever Enemies he might have had; or "whatever Errors he might have com- "mitted (which few Men in his high "Station eſcape quite clear of) we "preſume to think he deſerves, from all "impartial Men, the Praiſe of an honeſt, "juſt, and able Servant to the Church "and Crown, and ſo to be rank'd a- "mongſt the great and good Miniſters "of State".

An Account of the Writings of the Earl of CLARENDON (*excluſive of his* Hiſtory of the Grand Rebellion) *from* Wood's Athenæ, Vol. II. p. 534.

SEVERAL Speeches, as (1) *Speech in the Houſe of Lords concerning the Lord Preſident's Court and Council in the North*, Ann. 1640. (2) *Speech at a Conference between both Houſes*, July 6. 1641. *at the tranſmiſſion of ſeveral Impeachments againſt the Lord Chief Baron* Davenport, *Baron* Trevor, *and Baron* Weſton. See *Ruſhworth's Collections*, Vol. I. Part 2. Ann. 1640. as alſo Vol. III. of Part 2. p. 1056, 1360; and in *Nalſon's Collections*.

SEVERAL Speeches in Parliament during his Chancellorſhip, from the Reſtoration of King *Charles* II. to 1667. *Vide* Specimen, p. 285 of this Appendix.

A full Anſwer to an infamous, and trayterous Pamphlet, entituled, *A Declaration of the Commons of* England *in Parliament aſſembled, expreſſing their Reaſons and Grounds of paſſing their late Reſolutions touching no farther Addreſs or Application to be made to the King*. Vide p. 35. of this Appendix.

THE humble Petition and Addreſs to the Right Honourable the Lords Spiritual and Temporal, in Parliament aſſembled — This was by command of the Parliament burnt by the Hands of

of the Common Hang-man before the Gate of *Greſham* College, then the Place of Exchange, *December* 12, 1667. See p. 297.

THE Difference and Diſparity between the Eſtates and Conditions of *George* Duke of *Buckingham*, and *Robert* Earl of *Eſſex*. See p. 247.

ANIMADVERSIONS on a Book entituled *Fanaticiſm fanatically imputed to the Catholick Church, by* Dr. Stillingfleet, *and the Imputation refuted and retorted, by* Serenus Creſſy.

BRIEF View and Survey of the dangerous and pernicious Errors to Church and State, in Mr. *Hobbes*'s Book entituled *Leviathan*.

HIS Letters to the Duke and Dutcheſs of *York*, ſee p. 313.

HE the ſaid Earl of *Clarendon* hath alſo written;

I. *A Hiſtory*; or, *Hiſtorical Account* of *Ireland*; which Book *Edmund Borlace* made uſe of without acknowledgment, in his Book or Books which he publiſh'd concerning the Affairs of that Kingdom: So I find it in Dr. *Nalſon*'s Preface to the 2*d* Vol. of his *Collections*. N. B. This Manuſcript has been ſince printed under the Title of *The Hiſtory of the Rebellion and Civil Wars in* Ireland: By *Edward* Earl of *Clarendon*; with the *Atteſtation* of the preſent *Arch-Biſhop* of *Dublin*.

II. *ALTERATIONS in, and Additions to a Book entituled, A Collection of the Orders heretofore uſed in Chancery:* London, 1661, *Octavo*, done by and with the Advice and Aſſiſtance of Sir *Harbottle Grimſton* Baronet, Maſter of the Rolls.

A

DECLARATION

OF THE

COMMONS

Assembled in PARLIAMENT,

Expressing the

REASONS

Of these ensuing

RESOLUTIONS, &c.

Reſolved upon the Queſtion by the Lords and Commons in Parliament aſſembled,

THAT they do declare, That they will make no further Addreſſes or Application to the King.

Reſolved upon the Queſtion by the Lords and Commons,

THAT no Application or Addreſſes be made to the King by any Perſon whatſoever, without the Leave of both Houſes.

Reſolved upon the Queſtion by the Lords and Commons,

THAT the Perſon or Perſons that ſhall make breach of this Order, ſhall incur the Penalties of High Treaſon.

Reſolved upon the Queſtion by the Lords and Commons,

THAT they do Declare, That they will receive no more any Meſſage from the King; and do enjoyn, That no Perſon whatſoever do preſume to receive or bring any Meſſage from the King to both or either of the Houſes of Parliament, or to any other Perſon.

REASONS

REASONS

Of the Foregoing

RESOLUTIONS.

HOW fruitleſs our former Addreſſes, have been, to the King, is ſo well known to the World, that it may be expected we ſhould now declare, Why we made the laſt, or ſo many before, rather than why we are reſolved to make no more.

WE cannot acknowledge any great Confidence, that our Words could have been more perſwaſive with Him, than Sighs and Groans, the Tears and crying Blood, (an heavy Cry!) the Blood of Fathers, Brothers and Children at once, the Blood of many Hundred Thouſand Free-born Subjects in Three great Kingdoms,

which Cruelty itſelf could not but pity to deſtroy.

We muſt not be ſo unthankful to God, as to forget we never were forced to any Treaty; and yet we have no leſs than Seven times made ſuch Applications to the King, and tendred ſuch Propoſitions, that might occaſion the World to judge, We have not only yielded up our Wills and Affections, but our Reaſon alſo and Judgment, for obtaining any true Peace or good Accommodation.

But it never yet pleaſed the King to accept of any Tender fit for us to make, nor yet to offer any fit for us to receive.

It is very well known, That the Propoſitions ſent to the King at *Oxford*, and Treated on at *Uxbridge*, were agreed by the Parliaments of both Kingdoms, not only as Juſt, but Neceſſary alſo, for the very Being of theſe Kingdoms in a ſettled Peace and Safety.

And, although the King's perſiſting in his wonted Ways and Denyals, might have cauſed us to improve the Advantage of that great Succeſs (which it pleaſed God to afford us.) Yet when his Armies were all broken, ſo that in Diſguiſe he fled from *Oxford* to the *Scots* at *Newark*, and from thence went to *Newcaſtle*; and that *Oxford*, and almoſt all his Garriſons were taken, We tendred, at *Newcaſtle*, Propoſitions, the ſame, in effect, which had been preſented before in the midſt of all his Strength and Forces.

AND notwithſtanding this Change of His Condition, and Denyal of thoſe Propoſitions, after He was left to the Commiſſioners of Parliament, and our Brethren of *Scotland* quietly departed Home; after all His Garriſons taken, and no viſible Force in the whole Kingdom appearing for Him, the King being at the ſole Diſpoſing of the Parliament without Diſpute; yet even then the ſame Propoſitions were again preſented to Him at *Hampton Court*.

IN all which Addreſſes the Commiſſioners of *Scotland* agreed with us, and joyned with our Commiſſioners in attending the King.

THE King not granting our Propoſitions, but, ſtill giving ſuch ſtrange, unexpected, and conditional Anſwers or Denials, it might juſtly have made us conſider ſome other Courſe for ſettling the Kingdom in Peace and Safety, without any further Application; which was alſo ſo far agreed by our Brethren of *Scotland* (at their leaving *Newcaſtle*) that their Commiſſioners declared, in caſe the King conſented not to the Propoſitions, Yet they would maintain the Treaties and Union made between the Kingdoms.

BUT ſo deſirous were we of His Concurrence in the Settlement of the Kingdom's Peace, that we yet again reſolved upon another Addreſs; and did ſo qualify the ſaid Propoſitions, that where it might ſtand with the Publick Safety, His wonted Scruples and Objections were prevented or removed.

AND although we could not forget how Dangerous and void of Succeſs our former Treaties had been, and that a Perſonal Treaty had been declared by both Houſes, and the Commiſſioners of *Scotland*, to be unſafe, without Security and Satisfaction firſt given; yet we alſo yielded to that, on Condition the King would ſign but Four Bills, which we judged not only Juſt and Honourable, but Neceſſary even for preſent Peace and Safety during ſuch a Treaty.

WE have Cauſe enough to remember, That He ſometimes deny'd to receive our humble Petition for Peace; and when we deſir'd him to appoint ſome place for a Committee of both Houſes to attend Him with Propoſitions for Peace, He named *Windſor*; promiſing to abide thereabouts 'till they came unto Him: But preſently marched forward (that very Night) ſo near *London*, that he had almoſt ſurprized it, while he had ſo engaged Himſelf for a Treaty, had not ſome few of our Foot at *Brainford*, with invincible Courage, expoſed themſelves to apparent Death, 'till his Army was forced to retire in Fear and Shame, with the Guilt of moſt inhumane and barbarous Cruelties committed at *Brainford*, to aſſure *London* what it muſt have expected, had not God prevented thoſe bloody Deſigns.

AND we well remember, That the King once ſent us a ſpecious Meſſage of renewing a Treaty, when at the ſame time His Meſſen-

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ger was instructed how to manage that bloody Massacre in *London*, which was then designed by vertue of the King's Commission, since published.

And about the Time of the Treaty at *Uxbridge*, He excused himself to the Queen by a Letter under his own Hand, as forced to that Treaty by the mutinous Motions of his Mungrel Parliament at *Oxford*; and that he could not find any two of them of his Mind, else he would not have acknowledged us for the Parliament of *England*; which yet he did, with a Protestation, entred into the Councel-Books, That his calling us so, did not make us a Parliament.

All which was but small Encouragement, again, to make ourselves his Sport and Scorn, by any other Treaty; yet we now yielded to this also.

But notwithstanding this and all former Tenders, we have now receiv'd such a Denial, that we are in Despair of any good by Addresses to the King, neither must we be so injurious to the People, in further delaying their Settlement, as any more to press his Consent to these or any other Propositions.

Nor can we see why it should be expected a new Engagement could prevail on him, or oblige him more strongly to the Kingdom, than the solemn Oath of his Coronation, and the several other Vows, Protestations, and Imprecations so frequently by him broken, during

his whole Reign, and ſo often renewed before God and the whole World.

WE may be the more juſtify'd herein by thoſe that know what paſſed between the King and our Brethren the *Scots*, when thoſe Articles were agreed and confirm'd in the firſt Pacification not long before theſe Wars; which, as ſoon as their Backs were turn'd, and their Armies out of ſight, were diſavowed again by the King, and, by his Command, publickly burnt at *London* by the Hands of the Hangman.

WHICH yet might have been forgotten, had not a continued Track of breach of Truſt in the three Kingdoms, ſince he wore the Crown, made us (though unwilling) to remember it.

WE take no Pleaſure to repeat our own Miſeries, or others Miſchief, if it might be hidden or forgotten: But we are now forced to ſpeak what hath long been ſuffered in too much ſilence.

HIMSELF in publick Speeches and Declarations, hath laid a fit Foundation for all Tyranny, by this moſt deſtructive Maxim or Principle, which he ſaith he muſt avow, *That he oweth an Accompt of his Actions to none but God alone*; *and*, *That the Houſes of Parliament*, *joynt or ſeparate*, *have no Power either to make or declare any Law.*

THE private Articles agreed, in order to the Match with *Spain*, and thoſe other Private

vate Articles upon the *French* Marriage, ſo prejudicial to the Peace, Safety, Laws, Religion here eſtabliſhed; and the continued Correſpondence which hath ſince been carried on with *Rome*, are ſo evident as cannot be denied.

WE cannot but call to mind the Proceedings and Paſſages of the Parliament held in the ſecond Year of this King's Reign, concerning the Death of his Royal Father.

THE Tenth of *May* 1626, the Houſe of Commons charged the Duke of *Buckingham*, among other Things, in theſe Words; (*viz.*)

WHEREAS *the ſworn Phyſitians of our late Soveraign Lord, King* JAMES, *of bleſſed Memory, attending on his* Majeſty, *in the Month of* March, *in the two and Twentieth of his moſt glorious Reign, in the Times of his Sickneſs, being an* Ague, *did, in due and neceſſary Care of, and for the Recovery of his Health, and Preſervation of his Perſon, upon, and after ſeveral mature Conſultations in that behalf had, and holden at ſeveral Times in the ſame Month, reſolve and gave Directions,* That nothing ſhould be applied or given unto his Highneſs, by way of Phyſick or Dyet, during his ſaid Sickneſs, but by and upon their general Advice and Conſents: *And after good Deliberation thereof firſt had, more eſpecially by their like Care, and upon like Conſultations, did juſtly reſolve, and publickly give Warning to, and for all the Gentlemen and other Servants*

vants and Officers of his ſaid late Majeſty's *Bed-chamber*, that no Meat or Drink whatſoever, ſhould be given unto him, within two or three Hours next before the uſual Time of and for the coming of his Fit in the ſaid *Ague*, nor during the continuance thereof, nor afterwards, until his cold Fit were paſt. *The ſaid Duke of* Buckingham *being a ſworn Servant of his late* Majeſty, *of and in his* Majeſty's *ſaid Bed-chamber, contrary to his Duty, and the tender Reſpect which he ought to have had of his* Majeſty's *moſt ſacred Perſon; and after the Conſultations, Reſolutions, Directions and Warning aforeſaid, did, nevertheleſs, without any ſufficient Warrant in that behalf, unduly cauſe and procure certain Plaiſters, and a certain Drink or Potion to be provided for the Uſe of his ſaid* Majeſty, *without the Direction or Privity of his ſaid late* Majeſty's *Phyſicians, not prepared by any of his* Majeſty's *ſworn* Apothecaries *or* Chyrurgeons, *but compounded of ſeveral Ingredients to them unknown: Notwithſtanding the ſame Plaiſter, or ſome Plaiſter, like thereunto, having been formerly adminiſtred unto his ſaid* Majeſty, *did procure ſuch ill Effects, as that ſome of the ſaid ſworn Phyſicians did altogether diſallow thereof, and utterly refuſed to meddle any further with his ſaid* Majeſty, *until thoſe Plaiſters were removed, as being prejudicial to the Health of his* Majeſty. *Yet, nevertheleſs, the ſame Plaiſter, as alſo a Drink or Potion, was provided by him the ſaid* Duke, *which he the ſaid* Duke, *by colour of ſome*

inſuffi-

insufficient and slight Pretences, did, upon Monday *the one and twentieth Day of* March, *in the two and twentieth Year aforesaid, when his* Majesty (*by the Judgment of his said Physicians*) *was in the declination of his* Disease, *cause and procure the said Plaister to be applied to the Breast and Wrists of his said late* Majesty; *and then also, at and in his* Majesty's *Fit of his said* Ague, *the same* Monday, *and at several times, within two Hours before the coming of the same Fit, and before his* Majesty's *then cold Fit was passed, did deliver, and cause to be delivered, several quantities of the said Drink, or Potion to his late* Majesty; *who thereupon, at the same times, within the Seasons in that behalf prohibied by his* Majesty's *Physicians as aforesaid, did by the Means and Procurement of the said* Duke, *drink, and take divers quantities of the said Drink or Potion, applied and given unto, and taken and received by his said* Majesty *as aforesaid,* great Distempers, and divers ill Symptoms appear'd upon his said Majesty; *insomuch that the said Physicians finding his* Majesty *the next Morning much worse in the estate of his Health, and holding a Consultation thereabout, did by joynt consent, send unto the said* Duke, *praying him not to adventure to minister unto his* Majesty, *any more Physick without their Allowance and Approbation: And his said Majesty himself, finding himself much diseased and afflicted with Pain and Sickness after his then Fit, when by the Course of his* Disease, *he expected Intermission and Ease,*

did

did attribute the Cauſe of ſuch his Trouble unto the ſaid Plaiſter and Drink, which the ſaid Duke *had ſo given, and cauſed to be adminiſtred unto him; which ſaid adventrous Act, by a Perſon obliged in Duty and Thankfulneſs, done to the Perſon of ſo great a* King, *after the ill Succeſs of the like formerly adminiſtred, contrary to ſuch Directions as aforeſaid, and accompanied with ſo unhappy an Event, to the great Grief and Diſcomfort of all his* Majeſty's *Subjects in general, is an* Offence *and* Miſdemeanor *of ſo high a Nature, as may juſtly be called, and is by the ſaid* Commons *deemed to be,* An Act of Tranſcendent Preſumption, and of dangerous Conſequence.

And deliver'd it at a Conference to the Lords.

AFTER which the King came into the Lords Houſe and took notice of that Charge, and told them he could be a Witneſs to clear him in every one of them; unto which Charge, no Anſwer came in until the eighth of *June* following, and the tenth Day after it was ordered by the Houſe of Peers, to be communicated to the Houſe of Commons: But while the Houſe was preparing to ſend up their Proofs upon which they declared, that they doubted not but to have Judgment againſt the ſaid Duke, the King expreſſed a ſudden Purpoſe to diſſolve the Parliament; and altho' the Houſe of Peers

Peers petition'd for its continuance, expreſſing their great and univerſal Sorrow for his Intentions to diſſolve it, yet, notwithſtanding all this, the ſaid Parliament was diſſolved the fifteenth Day of the ſame *June*.

AT the ſame Time alſo, during the Parliament, Sir *Dudley Diggs* and Sir *John Elliot*, who ſpecially managed that Conference and Examinations, were committed cloſe Priſoners to the *Tower*, within two Days after the ſaid Charge, by Warrant under the King's own Hand.

AND Meſſages and Interruptions were conſtantly ſent from the King to the Houſes while they had the ſaid Charge in Agitation; and the Parliament being diſſolved before Juſtice could be done, there never was any legal Enquiry made at any time ſince, concerning the Death of the ſaid King.

WE leave the World now to judge where the Guilt of this remains.

WE can fully ſhew how *Rochel* was, by him, betray'd, and thereby a fatal Blow given to the Proteſtant Cauſe in *France*: How alſo he lent divers of the Navy Royal, and other Merchant-ſhips, to the *French* King, to be employ'd againſt thoſe whom he was engag'd to have aſſiſted. And when ſome of the Commanders and others in thoſe Ships, were ſo much *Engliſh* as to diſpute thoſe Orders; we can ſhew the King's Letter under his own Hand to Captain *Penington*, to put them into the Service

vice of the *French* King, or to ſink them in caſe of refuſal.

WE cannot forget the Deſigns to enſlave us by the *German*-Horſe (that we ſay nothing of the late *Spaniſh* Fleet, with a great Army therein, brought into the *Downs*, 1639.) and to grind us by enforced Loans, Privy-Seals, Coat and Conduct Money, enlarging of Foreſts, incloſing of Commons, ingroſſing of Gunpowder, with innumerable Patents and Monopolies of Malt, Salt, Sea-cole, Soap, Leather, Wine, Sugar, Allom, Farthings, Pins, Tobacco, and almoſt all Things elſe; together with that one compendium of all Oppreſſion and Slavery, called Ship-Money.

THE torture of our Bodies, by moſt cruel Whippings, ſlitting of Noſes, cutting off Ears, branding of Cheeks, Racks and Pillories, with cloſe Impriſonment at pleaſure, might be the ſooner forgotten, had not our Souls been alſo lorded over, led captive into Superſtition and Idolatry, triumphed on by Oaths *ex Officio*, Excommunications, Ceremonious Articles, new Canons, Canon-Oaths, *&c.*

ONE Thing more was found, to make us worſe than Slaves, in that we might not hope for Liberty: The very Name of Parliament became ſo odious at the Court, that if in twelve Years time there was ſo much as one ſummoned, it ſerved but to ſhew the lawleſs Power of thoſe that could not be content, only to diſſolve it at pleaſure, but we muſt be forbidden by

y Proclamation, to ſpeak or hope for another Parliament: And at ſuch Diſſolutions, there was no Privilege ſtrong enough to ſecure the Cloſets, Cabinets, Pockets and Perſons of thoſe that in Duty and Conſcience did but vote or act as Men above meer Slaves: This was Fault enough for cloſe Impriſonment and Death; or that hath alſo followed.

NOR was it enough thus to enſlave one Kingdom, but the ſame Projectors who had ſo enthralled *England*, muſt contrive alſo to reduce *Ireland*, and conform *Scotland*, that ſo the mingling of Neighbour-tears, might, by Sympathy, increaſe each others Wo.

SCOTLAND was to be the firſt Scene, where a new Liturgy, with new Canons, are to make the Prologue to the following Act.

THIS not ſucceeding as was hoped, an Army muſt be raiſed to force Compliance; but by the mediation of the *Engliſh* Lords, a Pacification is concluded; and it held till the King's return to Court, made him forget and diſavow it: But the burnt Articles left Aſhes enough to beget a new Flame.

THERE wanted but a Form of Law to make all Juſt: For this, and for Supply, not for Advice, a Parliament is ventur'd on; yet with Proviſo, that it ſhould not hurt, although it would not help; and not complying, (as was hoped, to aſſiſt that War againſt the *Scots*) was Crime enough to merit Diſſolution with a falſe

falſe and ſcandalous Declaration in the King's Name.

THE Parliament being diſſolved, the King took from his Subjects by Power, what he could not otherwiſe obtain.

WE need not tell the World how in the midſt of all our Miſeries, the *Scots* (our Brethren) entered with a powerful Army, marching on as Friends, 'till they were forced to make their Paſſage over *Tine*.

IT was then thought neceſſary by the King to ſummon this preſent Parliament; in which we did proceed with Eaſe, ſo long as there was but any Hope we would comply with him againſt the *Scots*, and give Aſſiſtance to that War.

BUT he quickly found it vain to hope to be ſupply'd by us againſt the *Scots*: And when we began to conſider, how we came to be again involved in a new War (notwithſtanding the late Pacification) we ſaw it impoſſible to quaſh thoſe pernicious Counſels at the preſent, or to prevent them for the future, without queſtioning their Authors: At this the King diſcovered himſelf ſo ſtrongly and paſſionately affected to ſuch malignant Counſellors, and their Counſels, that he would ſooner deſert or force this Parliament and Kingdom, than alter his Courſe, and deliver up his wicked Counſellors to Law and Juſtice.

BY this time, the Queen's pious Deſign (as they termed it) to advance Popery, was almoſt

ready

ready for the Birth, being helped much by a Popiſh Faſt, enjoyn'd weekly by the Pope's *Nuncio*, and by Letters from Secretary *Windebanck*, who durſt not abide Examination, but after he was queſtion'd by the Houſe of Commons, got a Paſs from the King to go beyond Sea.

WHAT was done abroad will hereafter appear, altho' the King made light of all our Intelligence from foreign Parts; yet he could not ſo well avoid or deny the Commiſſions given at Court to Popiſh Agents for private Levies; or that the Papiſts began to riſe and arm themſelves in the *North-weſt* of *England* and *Wales*, till they were ſuppreſſed; or that there were Regiments raiſing and liſting in *London*, and Parts adjoining, under Pretence of Soldiers for *Portugal*; or that ſome of theſe came to ſeize and poſſeſs themſelves of the *Tower*, and the Lieutenant threatned for refuſing them; all which he knew might be ſufficiently proved.

TO the like pious Deſign we may refer the great Cabal for bringing up the Northern Army to over-awe the Parliament, which the King did ſo often and ſolemnly diſavow, *as nothing but looſe Diſcourſes of a modeſt Petition, which alſo vaniſh'd two or three Months* (he ſaith) *before we knew it.*

BUT he now knoweth, we can prove the chief Part of that Cabal came from himſelf to the main Actors, and that ſome of them did diſſwade him from his Way, becauſe it was ſo ſharp and high, exceeding the Limits of Ho-

nour and Law: And yet their Propoſitions, which were the lower way, were much above the ſize of Petitions, as they are already publiſhed in their own Confeſſions. And it is very ſtrange, Mr. *Percy*, Sir *John Suckling*, and Mr. *Germin* (ſent away by the King's ſpecial Warrant) ſhould fly beyond Sea, only upon diſcovery of a modeſt Petition.

BUT notwithſtanding any Diſſwaſions, yet the King perſiſted in his Way; ſo that after this, there was appointed a meeting of Officers at *Burrough-bridge*, and Propoſitions made, with private Inſtructions brought from the King, by ſome that told them, *They were unwiſe to ſhew their Teeth, except they would bite*; and that the King would pawn his Jewels for them, would they be faithful to him; and if they marched forward, they ſhould be met by the Prince and the Earl of *Newcaſtle* with a good body of Horſe; and that the *French* alſo would be ready to aſſiſt them.

THIS was in *April*, and we had notice of this in the beginning of *May*, when alſo there was a Deſign for ſome *French* to have ſeized on *Portſmouth*, whither the Queen was then going; but the Ports were better ſecured by a ſpecial Committee.

SO far was it alſo from vaniſhing divers Months before our notice, that ſome of thoſe Cabaliſts, after examination by us, were again attempted by the King, and ſome of them ſent again to the Army with new Inſtructions and Directions,

Directions, ſigned by the King himſelf, as moſt clearly appeareth by comparing the Journals of *May* 1641 with the Months following; together with the Time ſpecify'd in the Confeſſions of Sir *Jacob Aſtley*, Sir *John Conyers*, Collonel *Legg* and others, already publiſhed.

AND when there was yet demur among the chief Officers, there went another Agent from Court, to quicken them, and treat of ſome Directions ſigned by the King: But he was to go farther, the *Scots* Army being then at *Newcaſtle*.

WHAT Offers were made to them of the plunder of *London*, if they would advance, or of four Northern Counties, with three hundred thouſand Pounds, or Jewels of great value, but to ſtand Neuters in that Deſign, is already declared by ſome, who may better know the Propoſitions made by *Oneal* (who brake Priſon here) Sir *John Hinderſon* and others, with Letters of Credence from the King:—After that he was ſo reſolute to go into *Scotland*, that he could not be perſwaded by our Petitions, to defer that Journey; and though in the Year 1641, he was not pleaſed to leave ſuch a Commiſſion as the Parliament deſired of him, yet he was pleaſed before, in the Year 1639 to intruſt Secretary *Windebank*, a known Favourer of Papiſts, with blank Sheets both of Parchment and Paper, ſigned with his Sign Manual, which were employ'd by him for diſpoſing great Commands by Land and Sea.

IT is well known what Letters the King ſent into *Ireland* by the Lord *Dillon*, immediately before the Rebellion, and where the great Seal of *Scotland* was, and in whoſe Hands, when that Commiſſion was ſealed at *Edenburgh* to the *Iriſh* Rebels, who diſperſed Copies thereof in *Ireland*, with Letters or Proclamations, and we have a Copy thereof atteſted by Oath, with Depoſitions alſo of thoſe who have ſeen it under the Seal.

WHICH Commiſſion was promiſed (as ſome of the chiefeſt Rebels confeſſed) to the *Iriſh* Committee at *London*, for the moſt part Papiſts, (which was thought a good *Omen*) and ſince moſt active Rebels, upon whoſe private Mediation, the King gave away more than five Counties, ſaying, That he expected they ſhould recompence him ſome other way: And, that he would willingly grant all their Deſires, but he was oppreſſed by the Parliament in *England*, of whom he wiſhed he could be revenged.

IT hath formerly been declared, how we deſired and preſſed the King to disband that *Iriſh* Popiſh Army, which (as was cleared at the Earl of *Strafford*'s Tryal) was raiſed to reduce the Kingdoms: But ſometimes he would give no Anſwer at all, and ſometimes did plainly tell us, He could not disband it for Reaſons beſt known to himſelf: Sometimes the *Scots* muſt firſt disband; and then there was a new Pretence of divers Regiments promiſed to *Spain*, for which the King was engaged, and could not go back.

WHICH

WHICH we now wonder not at, for by the Confeſſion of *Mac Carte* and *Macguire*, with others, it is clear, that this Pretence of Men for the King of *Spain*'s Service, was but a Colour to keep ſome in Arms for a Foundation of that Rebellion; and that ſome of the Committee coming from *London*, contrived this Plot for defence of the King, who was then, (they ſaid) ſo much injured in *England* and *Scotland*.

AND the firſt Clauſe of that Oath enjoyn'd by the general Counſel of Rebels, was, To bear true Faith and Allegiance to King *Charles*, and by all Means to maintain his Royal Prerogative againſt the Puritans in the Parliament of *England*.

AND although we declared to the King, That they ſtil'd themſelves the Kings or Queen's Army, yet we could not obtain a Proclamation againſt them in divers Months, and then alſo but forty Copies might be Printed, and expreſs Order given, That none ſhould be Publiſhed till his further Directions, as appeareth under his own Secretary's Hand.

WHICH might very well ſtand with the Letters from Court to the Lord *Muskery* (a great Rebel in *Munſter*) who was aſſured, his Majeſty was well pleaſed with what he did, and would, in time, give him Thanks for it, although, for the preſent, it did not ſtand with the Convenience of the King's Affairs, to give him publick Countenance; and this was afterwards made good by the King, who, in one of

the Letters taken at *Naſeby*, commandeth the Earl of *Ormond* to give particular Thanks to the ſaid *Muskery* and *Plunkett*.

WE may yet remember how the Earl of *Leiceſter* was delay'd and detain'd by the King (beyond all Pretence) from going againſt the Rebels.

HOW alſo the King refuſed a Commiſſion (often asked by both Houſes) for the Lord *Brooks* and Lord *Wharton*, when at ſeveral times there were large Proviſions made for relief of *Munſter*, and other Parts ſo much diſtreſſed, that *Limrick* was wholly loſt.

BUT when the Rebels wanted Commanders at their very beginning, we have long ſince named divers Papiſts and Perſons of Quality, that by the King's ſpecial Warrants, after the Ports were ſhut by both Houſes of Parliament, paſſed hence, and headed the ſaid Rebels.

AND we likewiſe named Commanders and Officers, whom the King called off from their Truſt againſt the Rebels, and Ships from their Guards at Sea, that ſo the Rebels might be ſupply'd with Foreign Aids, beſides all the Arms and Ammunition they had from the King's Magazines there, and from hence alſo, by the Earl of *Antrim*, Lord *Aboin* and others from the Queen, altho' the Council of *Ireland* deſiring ſome Pieces of Battery from hence, for the poor Proteſtants there, could not obtain them from the King: But ſome of our Ships ſent to relieve them, were ſeized by his Men of War (as the Cloaths and other Proviſions

ſions by Land) and ſold or exchang'd for Arms and Ammunition for the King: And the Rebels gave Letters of Mart for taking the Parliament's Ships, but freed the King's as their very good Friends.

LET the World now judge, how much Reaſon we had to believe the Rebels, when they did ſo often ſwear, they did nothing without good Authority and Commiſſion from the King; ſo that Sir *Phelim Oneale* would not be perſuaded, General *Leſley* had any Authority from the King againſt the Rebels.

DIVERS Months alſo before it began, there was Information given upon Oath, to the Archbiſhop and others of the King's Council, That there was a great Deſign among the Papiſts for a general Maſſacre of all the Proteſtants in *Ireland* and *England* alſo, and that a great Royal Perſon had a Hand in it, but it was to be managed by direction from the Pope.

AND beſides the King's Letters to the Pope, when he was in *Spain*, and others long ſince his return, on the behalf of the Duke of *Lorrain*, (which muſt be requited by the ſaid Duke with a Foreign Army to invade *England* upon the King's Deſign.) It is clear, that ſome Months before the *Iriſh* Rebellion, the King had an Agent in *Rome*, as by divers of his own Secretary's Papers appeareth.

AND that the ſame Deſigns were laid for *England* alſo at the ſame time, if we might not believe the Confeſſion of the Queen-Mother's

Servant, (atteſted upon Oath) that there were many Thouſands appointed to cut the Proteſtants Throats in this Kingdom alſo, when the King went to *Scotland*; yet we may remember, it was confeſſed by ſome of the Principal Rebels, that their Popiſh Committee here with the King, had communicated that Deſign to many Papiſts in *England*, by whoſe Advice, though ſome Things were altered, yet it was generally concluded, that about the ſame time, there ſhould be the like Proceeding of the Papiſts here; inſomuch that when *Charlemont* was ſeized in *Ireland*, Sir *Phelim Oneale* and other great Rebels, did, with much Confidence, affirm, the *Tower* was alſo ſeized at *London*, and the Archbiſhop releaſed by their Party here, where they ſaid, there was as much Blood running as in *Ireland*.

AND it is very well known, that upon the King's return from *Scotland*, beſides the unuſual Preparations of Ammunition and Arms, with new Guards within and about *Whitehall*; and beſides the great quantity of Fire-works found and taken in Papiſts Houſes; the *Tower* was alſo filled with new Guards, many Cannoneers, Granadoes, and all ſorts of Fire-works, Mortars, with great Pieces of Battery, ready prepared and mounted againſt the City. Sir *William Balfour*, (who was formerly threatned) for refuſing the new Guards while the Earl of *Strafford* lived, was now diſplaced, and ſuch Officers placed by the King, as were not only

ſuſpected

ſuſpected by us, but by the whole City, (who durſt not abide in their own Houſes) as by their ſeveral Petitions is manifeſt.

FROM this time the Track of open Force againſt this Parliament and Kingdom, did appear more viſible.

THE Charge of Treaſon againſt ſome of both Houſes, and that unparallell'd Act of Violence by the King's coming ſo attended to the Houſe of Commons, (after he had diſcharged our Guards, denying us any, but what might reſtrain or over-awe us) was but the Prologue to a bloody Tragedy, had not the Parliament, and good Affections of the City interrupted that Deſign, and cauſed the King's new Guards, (already liſted and moulded under Colonels and other Officers) to withdraw a little to another Scene.

NEITHER would the Country more comply with theſe Deſigns, altho' they were attempted with unuſual Arguments of armed Troops in warlike manner to compel them; which ſucceeded yet ſo ill, that the Lord *Digby* durſt not abide the Trial, but was ſent away upon a ſpecial Errand by the King's own Warrant.

WHAT his Errand was beyond Sea, we may well conclude from the Liſt of Arms and Ammunition (for which we can produce the King's own Hand) taken amongſt his Papers, and printed with his Letters to the Queen, at her firſt landing in *Holland*.

WHAT

WAAT Advice he gave for the King's retiring to ſome ſafe Place, and declare himſelf; and how the King followed it, is known well enough.

BUT before the King's ſettling at *York*, the Notice we had of his Commiſſions to the Earl of *Newcaſtle*, and Collonel *Legg*, for attempting *Newcaſtle* and *Hull*, may juſtly occaſion us to provide for their Security, eſpecially when we had certain Intelligence from the Low-Countries of Foreign Forces from *Denmark*, to come in about *Hull*, whither alſo came with the Lord *Digby*, divers Commanders, with much Ammunition and Arms from other Forreign Parts.

AND had not the *Swedes*, at that time, invaded part of the Kingdom of *Denmark*'s Dominions, we had had reaſon enough to expect a Storm that way, to have fallen alſo on *Hull*, where was then a great Magazine; and before we ever asked the King to remove it, we repreſented to him, that beſides all other Intelligence of Foreign Negotiations, we had good notice of a Fleet preparing in *Denmark*, and that one of the Lord *Digby*'s Servants had ſollicited a Mariner (or Pilot) to conduct it into *Hull*.

AND before that time, the King had diſpatched an Agent into *Denmark*, with Letters of Credit, complaining againſt the Parliament as unjuſtly fixed on the Deſtruction of one Man, the Earl of *Straſford* then living, but he was reſolved

reſolved to take another Courſe, and therefore deſired Aid.

AND there came ſuch an Anſwer, that among the large Offers made to the *Scots* before the King's going into *Scotland*, They were told, the King was aſſured of Horſes and Money from *Denmark*. And, by an intercepted Letter from the *Hague* to Secretary *Nicholas*, long ſince publiſhed, we found, that (beſides many Arms and Cannon then provided in *Holland*) There were alſo coming from *Denmark* Ships with ten Thouſand Arms for Foot, and fifteen Hundred Horſe for the King's Uſe, and that *Cockran* very handſomly evaded, that which was like to have fruſtrated all their Expectations from thence.

AND in *Cockran*'s latter Inſtructions (for there had been others before into *Denmark*) long ſince printed: The King ſaith we were then beginning to make head againſt him, and were then levying Forces, and therefore he preſſeth for Men, Money, Arms and Ships from *Denmark*, for which alſo he uſeth many Arguments, and among others, one in theſe Words:

THAT in purſuance of their great Deſign of extirpating the Royal Blood and Monarchy of England, *they have endeavoured likewiſe to lay a great Blemiſh upon his Royal Family, endeavouring to illegitimate all derived from his Siſter, at once to cut off the Intereſt and Pretenſions of the whole*

whole Race; which their moſt deteſtable and ſcandalous Deſign they have purſued, examining Witneſſes, and conferring Circumſtances and Times to colour their Pretenſions in ſo great a Fault; and which, as his ſacred Majeſty of England, *in the true ſenſe of Honour of his Mother, doth abhor, and will puniſh; ſo he expects his Concurrence in vindicating a Siſter of ſo happy Memory, and by whom ſo near an Union and continued League of Amity hath been produced between the Families and Kingdoms.*

A MOST falſe ſcandalous Charge of that which never entred into our Thoughts, ſo that we believe there never was a more unworthy Act done by any Prince, ſo to betray his Truſt and People to a foreign Nation, by incenſing them with ſuch an odious Slander, to the Shame of his own Mother.

WHICH we repeat the rather, becauſe when we declared our Intelligence, that *Cockran* was ſent into *Denmark* to procure Forces thence. *The King diſavowed it, calling it a vile Scandal, in his Anſwer to our Declaration of the 22d of* October 1642.

IN the ſame Inſtructions to *Cockran*, he declareth alſo, that he then expected Aſſiſtance from all his neighbouring Princes and Allies, in particular, the greateſt part of the States Fleet from *Holland*, whither he confeſſed he had then ſent the Queen.

He might alſo have added, that with the Queen, contrary to his Truſt, he had ſent the antient Jewels of the Crown of *England* (of a very vaſt value) to be pawned or ſold for Ammunition and Arms, of which we had certain Knowledge before we took up Arms.

Neither had we ſo much as once asked the ſettling of the Militia till the Queen was going into *Holland*.

And it may be remembred, that many Months before her Voyage to *Holland*, ſhe was going beyond Sea, had not our Motions to the King ſtayed her (and that among other Reaſons given) becauſe we then alſo heard, ſhe had pack'd up the Crown-Jewels and Plate, by which we might ſee what was then alſo intended by that Journey, had we not prevented it till the Winter.

But at *Burrough-Bridge* (before the Earl of *Strafford*'s Death) the Officers were told the King would pawn his Jewels for them, and the *French* were promiſed to aſſiſt them.

All this and much more yet to be ſaid, maketh us ſtand amazed at the King's ſolemn Proteſtations, ſo often made, calling God to witneſs and revenge it alſo, if he had any Thought of bringing up the *Northern* Army, or of levying Forces to wage War with his Parliament, or to invade the Rights of his Subjects, or of bringing in foreign Forces, or Aids from beyond Sea, *which* (as himſelf ſaith in his Declarations) *would not only bury this Kingdom*

Kingdom in ſudden Deſtruction and Ruin, but his own Name and Poſterity in perpetual Scorn and Infamy.

YET, at the very firſt, when himſelf and the Lords made ſuch a Proteſtation at *York* againſt Levying Forces, he commanded his Subjects by Proclamation, to reſiſt the Orders of Parliament: And had ſigned that moſt illegal Commiſſion of Array, and did privately contrive the getting out of the Stores, Ships, or otherwiſe ſuch Ordnance, Powder, Shot and Ammunition, as could be poſſibly got and provided, for which we can produce a Letter of *June* 20. 1642, under his own Hand, to Sir *John Heydon* Lieutenant of the Ordnance, to convey it ſecretly in Ballaſt of Ships, and required Subſcriptions for Plate, Horſes and Arms, and had alſo raiſed ſuch Guards of Horſe and Foot about him, that by them he did not only abuſe our Committees ſent unto him, beat our publick Officers and Meſſengers, protect notorious Papiſts, Traytors or Felons, ſuch as *Beckwith* and others from the *Poſſe Commitatus*, but alſo with thoſe Guards, Cannons and Arms from beyond Sea, did attempt to force *Hull* in an hoſtile manner, and that within few Days after that ſolemn Proteſtation at *York*.

IT was not long before he proclaim'd us Rebels and Traytors, ſetting up his Standard againſt the Parliament, which never any King of *England* did before himſelf.

NOR did ever any but King *Charles* ſet up a Mock-Parliament at *Oxford*, or any other Place, to oppoſe and proteſt againſt the Parliament of *England*, which himſelf and both Houſes had continued by Act of Parliament.

AND when he had made thoſe pretended Members at *Oxford*, to falſify their Faith and Truſt they owed to this Kingdom, finding that by them he could not carry on his own pernicious Deſigns, he derided their meeting in a Letter to the Queen, and called them a *Mungrel Parliament*, whereby his own Party may perceive what Reward they muſt expect when they have done their utmoſt, to ſhipwrack their Faith and Conſcience to his Will and Tyranny. And for calling in of foreign Forces, beſides that which we have ſaid already, it is very well known, by his own Letters taken at *Naſeby*, and the Lord *Digby*'s Cabinet, what Negotiations he hath long had in all States round about; we have alſo remaining with us, an authentick Copy of his Commiſſion, for calling over ten Thouſand of the *Iriſh* Rebels to ſubdue this Parliament, the diſloyal and rebellious City of *London* (as he calleth it) and for this purpoſe (expreſly againſt an Act of Parliament) he made a Pacification firſt, and ſince a Peace with thoſe moſt cruel bloody Rebels, on ſuch odious, ſhameful, and unworthy Conditions, that himſelf bluſhed to own, or impart them to his own Lieutenant the Earl of *Ormond*, but a private Commiſſion was made to the

the Lord *Herbert*, (called Earl of *Glamorgan*) commanding him to manage it with all poſſible Secreſy.

AND for letting us ſee this ſecret Commiſſion (which was taken at *Sligo*) the ſaid Lord did endure a ſpecious Confinement.

NEITHER do we by this time, wonder he ſhould forget his Vows and Proteſtations, that he would never conſent (upon whatſoever Pretence) to a Toleration of the Popiſh Profeſſion, or Abolition of the Laws then in Force againſt Recuſants, with moſt ſolemn Imprecations, that God would ſo deal with him and his, as he continued in ſuch Profeſſions, and inviolably kept thoſe Proteſtations, notwithſtanding, about the very ſame time, it appears by Letters under his own Hand to the Queen and the Earl of *Ormond*, that he would conſent to the taking away all Penal Laws againſt Papiſts both in *England* and *Ireland*.

AND altho' we had ſufficient Notice and Proofs of moſt of theſe Things before, notwithſtanding all his breach of Truſt with the Proteſtants in *France*, *Scotland*, *Ireland*, and this Kingdom, which (beſides all other Oppreſſions by unjuſt Prerogative) he hath ſo often endeavour'd to enſlave by *German*, *Spaniſh*, *French*, *Lorrain*, *Iriſh*, *Daniſh*, and other foreign Forces; yet ſo really, we ſought his own, as well as the Kingdom's Peace and Happineſs, that after ſo many Denyals, we made this laſt Application ſo juſt and Honourable, that we cannot

not but now conclude, he hath wholly forgotten, not only his Duty to the Kingdom, but alſo the Care and Reſpect he owes to himſelf and his own Family.

THESE are ſome few of the many Reaſons why we cannot repoſe any more Truſt in him, and have made thoſe former Reſolutions, yet we ſhall uſe our utmoſt Endeavours to ſettle the preſent Government, as may beſt ſtand with the Peace and Happineſs of this Kingdom.

LONDON: Printed for *Edward Husband*, Printer to the Honourable Houſe of Commons, *February* 15. 1647. According to the following Order.

Die Veneris, xi. *Februarii*, 1647,

ORDERED by the Commons aſſembled in Parliament, That a competent Number of this Declaration be printed for the Service of the Houſe; and the Knights, Citizens and Burgeſſes, and Barons of the *Cinque-Ports*, that ſerve for the ſeveral Counties, Cities, Burroughs and Ports, are required to ſend Copies thereof, to be publiſhed and diſperſed in the ſeveral and reſpective Places for which they ſerve.

A FULL

ANSWER

To the Fore-going

Infamous and *Trayterous* PAMPHLET.

Written by Sir EDWARD HIDE, Kt.

Micah vii. 4.

The beſt of them is as a Bryar: The moſt upright is ſharper than a Thorn-Hedge: The Day of thy Watchmen, and thy Viſitation cometh; now ſhall be their Perplexity.

Ezekiel xxiii. 5. 9.

And Aholah *played the Harlot when ſhe was mine, and ſhe doted on her Lovers, on the* Aſſyrians *her Neighbours.*

Wherefore I have delivered her into the Hands of her Lovers; into the Hands of the Aſſyrians, *upon whom ſhe doted.*

Preface of the Author.

IF the Nature and Minds of Men were not more inclined to Error and Vice, than they are to Truth and Vertue, and their Memories more retentive of the Arguments and Evidence, which is adminiſtred to pervert, than of thoſe applied

to reclaim them, there would be little need of compoſing any Anſwer to this ſeditious and trayterous Declaration, which conſiſts only of the ſeveral infamous and ſcandalous Imputations and Reproaches (except the odious and groundleſs Diſcourſe of the death of King *James*, which, tho' they have always whiſper'd, they never thought fit to own till now) which have been thrown and ſcattered againſt the King, throughout their Declarations and Remonſtrances, and is but the ſame Calumny and Treaſon, bound up in a leſſer Volume; to every Particular whereof his Majeſty (whilſt he was at Liberty to ſpeak for himſelf, and to take the Pains to undeceive and inform his People) gave full and clear Anſwers, in his ſeveral Declarations and Expreſſes, ſo that from thence, all Men may gather the moſt natural and proper Antidotes, to expel this Poyſon, the Spirit and Malignity whereof, (it is hoped) is ſo near ſpent, by the ſtaleneſs and palpable Unskilfulneſs, as well as Malice, of the Compoſition, that it will neither be received by, or work upon any healthful Conſtitutions; yet it will not be amiſs, for the Information of thoſe, who, it may be, have not taken the Pains to read the KING's former Anſwers and Declarations; and refreſhing the Memory of others, who have forgotten what they have read, to collect the Anſwers formerly given to thoſe Particulars, with which his Majeſty is now charged, and to add to thoſe Anſwers, what the Knowledge and Obſervation of

moſt

moſt Men who have been faithful Inquirers into paſt Actions, with that Integrity and Duty that becomes Subjects, may ſupply them with; for which, there will need no great Apology, ſince every honeſt Man hath a more regular and legal Qualification, to vindicate his Majeſty from thoſe foul Aſperſions, than any Combination, or Congregation of Men, can have to traduce him with them.

BEFORE any Diſcourſe be applied to the monſtrous Concluſions, which are made, and for the Support and Maintenance whereof, that Declaration is framed and contrived, or to the unreaſonable Gloſſes upon his Majeſty's Propoſitions, and Proſecution of his Deſires of Peace and Treaty, it will be the beſt Method, to weigh and conſider thoſe Particulars, upon which they would be thought to found their deſperate Concluſions, and in which they ſay, *There is a continued Track of breach of Truſt in the three Kingdoms, ſince his Majeſty wore the Crown.*

The Firſt Charge againſt the King anſwer'd.

I. THE firſt Charge is, That his Majeſty in publick Speeches and Declarations, hath laid a fit Foundation for all Tyranny, by this moſt deſtructive *Maxim* or *Principle*, which he ſaith, he muſt avow, *That he oweth an account of his Actions to none, but God alone; and that the Houſes of Parliament, joynt or ſeparate, have no Power, either to make or declare any Law.*

THAT which all learned Christians in all Ages have taught, and all learned Lawyers of this Kingdom have always held, and acknowledged, is not like to be a *destructive Principle*, and *a fit Foundation for Tyranny*; and surely this Assertion of his Majesty hath no less Authority: For the first, the incomparable *Grotius*, upon whom all learned Men look with singular Reverence, says, That even *Samuel jus Regum describens, satis ostendit adversus Regis injurias nullam in populo relictam potestatem*; which, says he, *rectè colligunt veteres ex illo Psalmi; Tibi soli peccavi:* Because being all, *ejusdem ordinis*, the People owe the same Obedience to these, as they did to those, though the absolute Power and Jurisdiction the Kings of *Israel* had, be no Rule for other Princes to claim by: And *Grotius* there cites Saint *Ambrose*'s Note upon the same Text, *Neque ullis ad pœnam vocantur legibus, tuti imperii potestate, homini ergo non peccavit, cui non tenebatur obnoxius.*

De Jur. Bell. fol. 64.

THE wise and learned Lord Chancellor *Egerton*, in his Argument of the *Postnati*, mentions some Texts in the Civil Law, of the great and absolute Power of Princes, as *Rex est Lex loquens*, and *Rex solus judicat de causa à jure non definita*, and says, he must not *wrong the Judges of the Common Law of the Kingdom, so much as to suffer an Imputation to be cast upon them, that they or the Common Law do not attribute, as great Power and Authority to their Sovereigns, the Kings of* England, *as the Canon Laws did to their*

Postnat. p. 107.

their Emperours; and then cites out of *Bracton*, (the Chief Juſtice in the Time of King *Hen.* III. and an authentick Author in the Law) theſe Words, *De Chartis Regiis & factis Regum non debent nec poſſunt Juſtitiarii, nec privatæ perſonæ diſputare, nec etiam ſi in illa dubitio oriatur, poſſunt eam interpretari, & in dubiis & obſcuris, vel ſi aliqua dictio duos contineat intellectus, Domini Regis erit expectanda interpretatio & voluntas:* And the ſame *Bracton*, in another Place, ſays of the King, *Omnis ſub eo eſt, & ipſe ſub nullo, niſi tantum ſub Deo.*

THE ground of that excellent Law of *Premunire*, in the 16th Year of King *Rich.* II. *c.* 5. and the very Words of that Statute are, *That the Crown of* England *hath been ſo free at all times, that it hath been in no earthly Subjection, but immediately ſubject to God in all Things, touching the Regality of the ſame Crown, and to none other*; and upon that *Maxim* of the Law, that good Statute againſt the Pope, was founded. 16 Rich. 2. c. 5.

IF the King were bound to give an Account of his Actions to any Perſon or Power whatſoever (God excepted) he could not be *the only ſupream Governour of this Realm*, which he is declared and acknowledged to be by the Oath of Supremacy, which every Member of the Houſe of Commons hath taken; or if he hath not, he ought not to ſit there, or to be reputed a Member of Parliament by the Statute of 5 *Eliz. c.* 1. 1 Eliz. c. 1.

FOR the other Part of this moſt deſtructive *Maxim* or *Principle*, That the Houſes of *Parliament, joynt or ſeparate, have no Power either to make or declare any thing to be Law, which hath not been formerly made to be ſo:* It hath been the Judgment and *Language* of the Law *itſelf* in all Ages, and the Language of all *Parliaments themſelves.*

IT was the Judgment of the Parliament in the 2d Year of King *Hen.* V. (remembred and mentioned by the King, in his Anſwer to the 19 Propoſitions) *That it is of the King's regality to grant or deny ſuch of their Petitions as pleaſeth himſelf*, which was the Form then uſual to preſent thoſe Deſires, which, by the King's Approbation and Conſent were enacted into Laws.

Dyer, fol. 60. pl. 19. IT was the *Language of the Law* in the 36th Year of King *Henry* VI. reported by my Lord *Dyer*, That *the King is the Head, and that the Lords are chief and principal Members, and the Commons, to wit, the Knights, Citizens and Burgeſſes, the Inferiour Members, and that they all make the Body of Parliament:* And doubtleſs, the Privilege of Parliament was not in that Time held ſo ſacred a Thing, when an Action of Debt was brought againſt the Sheriff of *Cornwall*, for having diſcharged one *Trewynnard*, a Burgeſs of Parliament, taken in Execution during the Seſſion of Parliament, upon a Writ of Privilege directed to the ſaid Sheriff, and the King's Bench (where the Action was brought,

brought, and the Sheriff juſtify'd) was, in thoſe Days, the proper Place to judge what was the Privilege of Parliament, the Law being the moſt proper Judge of that Privilege, as well as of all other Rights.

IT is the Language of the Author of *Modus tenendi Parliamentum*, who lived before the Time of *William the Conqueror*; and it is the Language of Sir *Edw. Coke*, in the Chapter of the high Court of Parliament, which was publiſhed by a ſpecial Order of the Houſe of Commons, ſince the beginning of this Parliament, That *there is no Act of Parliament but muſt have the Conſent of the Lords, the Commons, and the Royal Aſſent of the King:* And the ſame Sir *Edward Coke* ſays, in the 11. p. of that Chapter, *That Innovations and Novelties in Parliamentary Proceedings are moſt dangerous, and to be refuſed.* 4 Part. Inſtit. p. 25.

IT is the Language of the Parliament in the 1ſt Year of King *James*, when, to the firſt Act that was paſt, they deſired his Majeſty's Royal Aſſent, *without which* (they ſay,) *it can neither be compleat or perfect, nor remain to all Poſterity*, &c. 1 *Jac.* c. 1.

Laſtly, IT is the *Language of this preſent Parliament*, and in a time in which they were not very modeſt in their Pretences, for in their Declaration of the 19th of *May*, they acknowledge, *That by the Conſtitution of this Kingdom, the Power is in his Majeſty and Parliament together*, albeit they conclude in the ſame Declaration, Exact Collect. p. 207.

ration, *That if he refuſed to joyn with them, they will do their Work themſelves without him.*

THERE is no one Propoſition that hath more miſled Men, than the Diſcourſe of the Parliaments being the ſupream Court of Judicature, and therefore that they have the ſole Power to declare Law; It is confeſſed, that the Houſe of Peers in Parliament (for any Pretence of the Houſe of Commons to Judicature is groundleſs, and unreaſonable, and unheard of, till within theſe laſt ſeven Years) is the ſupream Court of Judicature, whither any Perſon that conceives himſelf oppreſſed by the Judgment of any other Court, may, by Writ of Error, remove that Judgment, of which he complains, and from the Sentence of that Court there is no Appeal; which his Majeſty well expreſſed in his Anſwer to that Declaration of the 19th of *May*, in theſe Words, *We deny not, but they may have a Power to declare in a particular doubtful Caſe, regularly brought before them, what Law is, but to make a general Declaration, whereby the known Rule of the Law may be croſſed or altered, they have no Power, nor can exerciſe any without bringing the Life and Liberty of the Subject to a lawleſs and arbitrary Subjection:* Which Aſſertion the too ſad Experience of all Men, hath evinced to be moſt reaſonable. The Truth is, that Power of declaring in a particular Caſe, ſo brought before them, is rather a Power to declare what ſhall be done in that Caſe, than what the Law is; for if they re-

Exact Collect. p. 251.

verſe

verſe a Judgment brought before them, and determine the right otherwiſe, than it hath been judged by the ſworn Judges, that Judgment is no Rule to the ſworn Judges to judge by, but they may in the like Caſe without imputation of Crime or Error, judge as they did formerly; which ſhews that the Judges are the only Interpreters of the Law, in their ſeveral Courts, though in theſe Caſes, removed regularly before the Lords, the Party muſt *acquieſce*, there being no other Court to appeal to.

ADD to this, that there hath been in all Times, that Reverence to the ſworn Judges of the Law, that the Lords in Parliament have always guided themſelves by their Opinion in Matters of Law; neither will it be ever found before this Parliament, that the Houſe of Peers ever declared or judged the Law in any particular Caſe, againſt the unanimous Opinion of the Judges, who are Aſſiſtants only for that Purpoſe; neither is it Reaſon that any ſhould be thought fit Interpreters or Declarers of the Law, but they who have ſtudied it, and are ſworn to do it truly. And to this Point, though there are Multitude of Examples and Preſidents, there ſhall be one only remembred: In the Parliament in the 28th Year of *Hen.* VI. upon the 16th of *January*, the Commons deſired, That *William de la Pool*, Duke of *Suffolk*, ſhould be committed to Priſon for many Treaſons and other hainous Crimes committed by him: The Lords in Parliament were in

doubt

doubt, what Anſwer to give, they demanded the Opinion of the Judges, their Opinion was that he ought not to be committed; and the Reaſon was, for that the Commons did not charge him with any particular Offence, but with general Slanders and Reproaches; and therefore becauſe the Specialties were not ſhewed, he was not to be committed: This Opinion was allowed, and the *Duke* was not Committed, till a Fortnight after, that the Commons had exhibited ſpecial Articles againſt him, that he conſpired with the *French* King, to invade the Realm, *&c.* And then he was ſent to the *Tower:* So great Reſpect did thoſe Times bear to the Judges of the Law, and ſo much Courage had the Judges then to declare what the Law was.

HAVING now made it manifeſt, that this moſt deſtructive *Maxim* or *Principle*, is no *new Poſition*, but agreeable to *Antiquity*, *Conſcience*, *Truth* and *Law*, and therefore not like to be *a fit Foundation for all Tyranny*: It will not be unſeaſonable, to obſerve that theſe Words were ſpoken by his Majeſty at the firſt Seſſion of Parliament, in the 3d Year of his Reign, and that though the Matter of them hath been often ſince, and muſt be always averred by him; the very Words have not been uſed in Speech or Declaration by his Majeſty, ſince the beginning of this Parliament, and that that very Parliament continued many Months after, and never in the leaſt Degree made Queſtion of them,

them, nor hath any Objection been made to them, till this new Declaration of the Commons, near 18 Years after, and therefore it is not probable, that they have been before misinterpreted or cenſured.

IT may be likewiſe in this Place fit to inform the People, what theſe Men mean by *the Power of declaring Law*, which they are ſo ambitious of; that they may know how little elſe they would need to deſtroy King and People, if they were poſſeſſed of this Power, in the ſenſe they intend; which will beſt appear by the Inſtances in which they have aſſumed it.

THE King proclaims Sir *John Hotham* guilty of high Treaſon, for having ſhut the Gates of *Hull*, and having made *reſiſtance with armed Men in defiance of his Majeſty*, which, he ſays, is high Treaſon by the *Statute of the* 25th Year of *Edw.* III. *c.* 2. They declare that Sir *John Hotham* did not ſhut the Gates againſt him in defiance, *but in Obedience to his Majeſty*, and that the meaning of that Statute, is only againſt thoſe, who levy'd War againſt *the King's Laws and Authority*; that the King's *Authority is only in them*; *and they only can judge of the Laws*; and therefore that they who ſhall levy War by their Authority, (tho' againſt the perſonal *Commands of the King*, *and accompanied with his preſence)* incur no Danger by that Statute: And that they who did *attend his Perſon againſt them*, are guilty of Treaſon within that Statute. Exact Collect. p. 276, 277.

THE

THE King for the Information of his Subjects remembers them of the Statute made in the 11th Year of King *Hen.* VII. *cap.* 1. by which it is enacted, *That no manner of Perſon, whoſoever he be, that attends upon the King and Sovereign Lord of this Land, for the Time being in his Perſon, and do him true and faithful Service of Allegiance in the ſame, or be in other Places by his Commandment in his Wars, ſhall be convict or attaint of high Treaſon, nor loſe Lands, Goods,* &c. They declare that by the *King*, in this Statute, is meant *the Parliament.* If they are told the King is *Supreme Head and Governour over all Perſons within his Dominions*, and that he is ſo acknowledged to be by the Oaths themſelves have taken: They preſently declare, that it is meant of *ſingular Perſons rather than of Courts*, or of *the collective Body of the whole Kingdom:* Examples innumerable of this kind might be remembred, and the Conſequence needs not be preſſed.

Exact Collect. p. 280.

Exact Collect. p. 703.

THAT the Abſurdity may a little appear, as well as the Miſchief, they apply this Faculty of declaring to the ſatisfying their Curioſity, and ſupporting their Credit, to matter of Right, and matter of Fact, or to any Purpoſe that may advance their Deſigns: They intercept a Letter directed to the *Queen's* Majeſty from the Lord *Digby* before the War began, and declare it would *be diſhonourable to his Majeſty, and dangerous for the Kingdom, if it ſhould not be opened*; and thereupon with unheard of Preſumption,

Ex. Col. p. 82.

Presumption, they open and peruse the Letter, her Majesty being within a Day's Journey of them: And when the King caused Sir *John Hotham*'s Letters to be opened, which were intercepted after he was in Rebellion, They declare, that it was *a high breach of Privilege*, which by the *Laws of the Kingdom*, and by the *Protestation* we *are bound to defend with our Lives and Fortune*. Ex. Col. p. 156.

One Master *Booth*, a Gentleman of Quality of *Lincolnshire*, delivered a Petition to the King at *York*, in which he complained of certain Gentlemen, who, as Deputy-Lieutenants, had put the Ordinance for the *Militia* in execution in that County; and set forth in his Petition, several Actions done, and Words spoken by them at that time, and both himself and one Master *Scroop* made *Affidavit* before a Master of the Chancery, that the Information in the Petition was punctually and precisely true; which Petition and Oath being printed, the House of Commons frankly declared, That it was false: Not to speak of their declaring, that the King's coming to the House of Commons, was a trayterous Design against the *King and Parliament*; and that his *Proclamation* which he published *for the apprehension of those Members*, was false: So that this sole Power of declaring, would not stand in need of any other Power to subvert the whole frame of Government, and so dispose of the intire Rights of Prince and People, according to the variety of their Ex. Col. p. 481. Ex. Col. p. 40.

their Appetites and Humour: For they say, as *some Presidents of their Predecessors ought not to be Rules for them to follow, so none can be Limits to bound their Proceedings.* Ex. Col. p. 265.

AND, in truth, the inconstancy and contradiction in their Rules and Resolutions is no less observable than the other Extravagancy: In their Petition of the 14th of *Decemb.* 1641, they declared, That *the King ought not to manifest or declare his Consent, or Dissent, Approbation or dislike of any Bill in preparation or debate, before it be presented to him in due course of Parliament*; yet within few Days after, in the Petition that accompanied the Remonstrance of the State of the Kingdom, they desired his Majesty that he would *concur with them, for the depriving the Bishops of their Votes in Parliament*, the Bill for that Purpose being still depending in the Lords House, and then not like to pass.

BY the Order of the 3d of *January* 1641, and many Declarations after, they declared, *That if any Person whatsoever, shall offer to arrest or detain the Person of any Member without first acquainting the House, that it is lawful for him to stand upon his Defence and make resistance, and for any other Person to assist him in so doing*; but in their Declaration of the 2d of *November* following, *they deny that they had said so*, and acknowledged, *that a Member in the Cases of Treason, Felony, or the Peace, may be arrested* Ex. Col. p. 727.

and

and detained, in ordine, *to his appearance before the Parliament.*

THERE would be no End of theſe Inſtances, not to ſpeak of thoſe, where the Houſe of Peers have declared the Law one Way, and the Commons another, as in the Order of the 9th of *September.*

II. THE next Charge is, the private *Articles agreed in order to the Match with* Spain, *and thoſe other private Articles upon the* French *Marriage, ſo prejudicial to the Peace, Safety, Laws,* &c.. *The Second Charge.*

WHAT thoſe private Articles were, or are, is not expreſſed, which doubtleſs would have been, if a reaſonable Advantage might have been hoped from it; all thoſe Papers being ſeized and peruſed by thoſe, who have neither reſpect to the Dignity of their Sovereign, or regard of the Honour of their Country. The Articles with both Kingdoms, were tranſacted by the great Wiſdom of King *James*, and cannot be imputed to his Majeſty that now is; neither is there in one, or the other, any one Article that was not in the King's Power to agree to, in the Manner in which he did agree; and that neither of them were prejudicial to the Peace, Safety, Laws, and Religion here Eſtabliſhed, is moſt evident, for that Peace and Safety were never more viſible, nor the Laws and Religion eſtabliſhed did ever flouriſh more in any Age, than from the Time of thoſe Articles to the beginning of this unhappy Par-

liament, which no Diſcourſe of Correſpondence with *Rome*, can hinder from being acknowledged.

The Third Charge.

III. THE third Matter objected is, a Diſcourſe concerning *the Death of King* JAMES, in which there is mention of a Clauſe in the Impeachment carried up againſt the *Duke of Buckingham* by the Houſe of Commons, in the 2d Year of this King; and that the King came into the Lords Houſe and took notice of that Charge, and ſaid, He could be a Witneſs to clear him in every one of them; and that ſhortly after the *Parliament* was diſſolved, and they conclude, that *they leave it to the World to judge where the Guilt remains.*

DURING the Life of King *James*, and to the Hour of his Death, there was no earthly Thing he took equal Joy and Comfort in, as in the Obedience and Piety of his Son; who was not more reputed and known to be Heir apparent to the Crown, than to be the moſt dutiful and pious Son in the Kingdom, and was never known to diſpleaſe his Father in his Life; the King died in the 59th Year of his age, after many terrible Fits of an *Ague*, which turned to a *quotidian Fever*, a Diſeaſe uſually mortal to Perſons of that Age and Corpulency of Body, which King *James* was of.

AFTER his Death, in the 1ſt Year of his Majeſty's Reign, there was a Parliament called, during which Time, there was never the leaſt Whiſper

Whiſper or Imagination of the King's Death, to be otherwiſe than natural, and yet the King had many great Perſons in his Counſel, and there were more afterwards in that Parliament, who did not pretend any Kindneſs to the Duke of *Buckingham*; many of whom muſt neceſſarily have obſerved, or, at leaſt, have been informed of any Arguments for ſuch a notorious and odious Practice, and would not have ſuffer'd any Jealouſy that could reflect on the *Duke*, to be untaken notice of.

By that Time the Parliament, in the ſecond Year of the King began, one *George Egliſham*, an infamous *Scotch*-man, and a Papiſt, having an Ambition to be taken notice of as an Enemy to the *Duke*, tranſported himſelf into *Flanders*, and from thence about the beginning of that Parliament, ſent over a ſmall Pamphlet in the form of a Petition, in his own Name to the Parliament, accuſing the *Duke of Buckingham* of having poyſon'd the *Marquiſs of Hamilton*, and *King* James; which Pamphlet was induſtriouſly ſcattered up and down in the Streets of the City of *London*; and the Houſe of Commons being at the ſame Time incenſed againſt the *Duke*, in their Impeachment or Remonſtrance againſt him, thought fit to inſert *the giving of that Drink*, and *applying that Plaiſter* (which was all that was mentioned in that Pamphlet concerning *King* James) *as a tranſcendent Preſumption in the* Duke, as is ſet forth in this Declaration.

If they had been ingenuous, they would likewiſe have ſet forth the *Duke*'s *Anſwer* to that Clauſe, and then the People would have underſtood that there was nothing *adminiſtred to the King, without the privity of the Phyſitians, and his own importunate Deſire and Command*; the Applications being ſuch, as unlearned People upon Obſervation and Experience in thoſe known and common Diſeaſes, believe to do much good, and the learned acknowledge, can do no hurt: And the Parliament continued above a Week after that Anſwer was put in, and no one Perſon appeared, in that Time, to offer the leaſt Evidence concerning that Clauſe; and the King might very well, in Juſtice to the Honour of a faithful Servant, diſcharge his own Knowledge, to free him from ſo horrible an Imputation: And after the diſſolution of that Parliament, all imaginable Care was taken to examin the Grounds, and to diſcover the Authors of that Suggeſtion: And it is known the miſerable Wretch, who raiſed the Scandal, with great Penitence, afterwards, acknowledged his Villany, and died with the horrour of his Guilt.

In the Year following, there was another Parliament ſummoned, which continued and ſate many Months together before the *Duke*'s Death, and which was not more devoted to him than the former had been; where thoſe two Gentlemen, mentioned in the Declaration, bore great ſway, and were nothing reconciled

to

to the Duke or the Court; yet in all their Remonſtrances, not the leaſt Word of that Aſperſion, all Men believing and knowing it to be the moſt groundleſs, that could be imagined.

AFTER the beginning of this Parliament, when the Licence of Talking and Preaching ſeditiouſly was introduced, it was whiſper'd amongſt ſome of the chief Agents for the Confuſion which hath ſince followed, that they would examin the Matter of the Death of *King* JAMES, and ſhortly after the Buſineſs of the *five Members*, when the King was at *Windſor*, and the two Houſes governed ſo abſolutely: This Pamphlet written ſo long ſince by *Egliſham* was printed, and publickly ſold in Shops, and about the Streets, and a very powerful Perſon of that Faction, with ſome ſeeming trouble in his Countenance, told one of the Secretaries of State, that many took the Liberty abroad to diſcourſe too boldly of the Death of King *James*, and that he would ſend one to him, a Clergy-Man, who could give him a particular Information of it; the ſame Night the Man came to him, who told him that there was a Papiſt, who lived about *London*, or in the neareſt part of *Surry*, who reported, that *he could prove, that King* James *was poyſoned*; the Secretary required the Informer to attend him at an Hour the next Day; and early in the Morning, aſſembled the Privy Council, acquainted them with the Information, and the Informer; and deſired their Lordſhips Advice and Opinions what

ſhould be done upon it; the moſt of them were very ſhy in the Matter, and he who had firſt ſpoken of it, and ſent the Informer, ſeemed wonderfully troubled that it was Communicated ſo publickly; by which it was evident he had in the Intimation ſome Deſign, either upon that Honourable Perſon or his Maſter, of which he hoped to have made another Uſe: The Secretary, immediately after he had received the Intelligence, ſent an Expreſs to his Majeſty with the Account, and that he intended forthwith to impart it to the Council, ſince it was no hard Matter to gueſs what was meant by thoſe, who were privy to it, and therefore deſired his farther Pleaſure upon it; and finding the ſwaying Part of the Council at that Time unwilling to meddle in it, he expected the King's Command, and in the mean Time only ſent a Warrant to apprehend that Papiſt, which could not be done without the Diligence and Advice of the Informer, who only knew where he was, and whom he required to aſſiſt. The ſame, or the next Day the King returned his poſitive and expreſs Command, *That the Lords of his Council ſhould uſe all poſſible Induſtry and Diligence in the Examination, and leave no Way unattempted for the full Diſcovery*; which Command was immediately delivered by the Secretary to their Lordſhips, who thereupon gave ſome Directions, but thoſe Lords who deſired to conceal them, knowing only who the Authors were, tho' a formal Order was given for the

the Enquiry, no further Diſcovery was made, or any avowed Diſcourſe of it till this Declaration; it being then ſaid privately amongſt themſelves, *That the Time was not yet come, that they might make uſe of that matter.*

THIS is too much to be ſaid, upon the Occaſion of this moſt impoſſible Calumny and Scandal, which hath never, nor can make Impreſſion upon any ſober, honeſt Underſtanding, except to beget a Horror againſt the Contrivers of it: And all true *Engliſh* Hearts will ſo far reſent it, as to expreſs a deteſtation of the Authors, who being drunk with the Blood they have ſpilt, and confounded with the Senſe of their own Wickedneſs, have by this laſt impotent Act, declared, that they are at the bottom of their Malice; and that by the juſt Judgment of God, their Wits are as near an End as their Allegiance; and that they have no other Stock left, but of Deſpair and Madneſs, to carry them through their impious Undertakings.

IV. THE next Reproach is the Buſineſs of *Rochel*, and that his Majeſty let divers of *the Navy Royal, and other Merchant Ships to be imployed againſt thoſe, whom he was engaged to have aſſiſted*; and the King's Letter to Captain *Penington*, which, they ſay, they can ſhew under his own Hand, and *that hereby* Rochel *was betrayed.* *The Fourth Charge.*

THOUGH the Age, Quality, and Education of moſt of thoſe who conſented to this Declaration, will not admit a Suppoſition, that they knew much of the Tranſaction of this Matter, yet there are ſome amongſt them, who might well have remembred, that there was only one Ship of the Navy Royal (the *Vantguard*) lent by his Majeſty to the *French* King, and that the ſame was returned long *before* Rochel *was beſieged*, and *near*, *if not full two Years before it was ſurrendered*; and therefore it would not be very eaſy to prove, that it was loſt (much leſs betrayed) by that Action, or that the Ships were employ'd againſt *thoſe*, *whom his Majeſty was engaged to have aſſiſted*: But becauſe much unskilful Diſcourſe hath been of this Argument to the prejudice of the King, and many well-meaning People have been too credulous in it, without conſidering that Actions of that Nature *between* great Princes, are grounded upon deep Reaſons of State, above the Apprehenſion of vulgar Underſtandings; and that the King, upon this new Alliance, having, at the ſame time, a War with *Spain*, had great Reaſon to gratify *France* in all Offices of Friendſhip: It may be worth the Labour briefly to ſet down the Truth of that Matter, and the Proceedings thereupon.

ABOUT the Time of his Majeſty's Marriage with the *Queen*, the *French King* had many Deſigns upon *Italy*, and a particular Difference and Conteſt with the *States of Genoa*, and

and upon concluſion of that Treaty, and renewing the antient League and Amity, confirm'd and ſtrengthen'd by this Marriage, His Majeſty was content to lend the *Vantguard*, and to give Licenſe that ſix or ſeven Merchant Ships might be hired (if the Owners were willing) to ſerve the *French King* in the *Mediterranean Sea*, and, upon a preciſe Promiſe, *that they ſhould not be employ'd againſt thoſe of the Religion in* France: Accordingly, the *Vantguard* (and no other Veſſel of the Navy Royal) was delivered, and the Merchants Ships likewiſe hired by the *French Agents*, with the full Conſent of the *Owners*, One of which, (or one by their nomination) Commanded each Ship, and carried the ſame into *France*, and there themſelves delivered the Ships into the poſſeſſion of the *French*.

AFTER theſe Ships were thus engaged in the *French Service*, and joyn'd to their *Fleet*, in which were 20 Ships of War likewiſe, borrowed of the *Hollanders*, commanded by *Hauthaine* the Admiral, and *Dorpe* his Vice-Admiral, who, it is very probable, nor their Maſters were privy, or conſenting to that Enterprize, and with which they were much ſuperior to thoſe of the Religion, tho' the *Engliſh Ships* had been away, they fell upon the *Rochel Fleet*, and took and deſtroy'd many of them: The King was no ſooner inform'd of this, than he highly reſented it by his Ambaſſador, and the *French* King excuſed it upon thoſe of the Religion, who, he alledged, had, without Cauſe, broken the Peace:

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The Duke of *Subeſe* having, when all was quiet, ſeiz'd all the *French* Ships at *Blauet*, which very Ships made the beſt part of the Fleet he had now encountred and broken; and that the King of *England* ought to be ſenſible of the Injury, the Peace (thus broken) having been made and conſented to by the *French* King, upon his Majeſty's earneſt Mediation and Interpoſition: Notwithſtanding which, his Majeſty juſtly incenſed, that his Ships ſhould be employ'd contrary to his Pleaſure and the Promiſe made to him, immediately required the Reſtitution of his, and all the *Engliſh* Ships, the which was no ſooner made, than to publiſh to the World, how much he was diſpleaſed with that Action, he entred into Hoſtility with *France*, the chief ground of that Quarrel being, that the *Engliſh* Ships had been employ'd againſt thoſe of the Religion, contrary to the expreſs Promiſe made that they ſhould not be uſed againſt them, as appears as well by the *Manifeſto* of the Duke of *Buckingham*, dated *July* 21, and printed ſince this Parliament, as by the *Records of State* of that Time. Let the World now judge with what Colour the loſs of *Rochel* (which, as is ſaid before, hapned not till near or full two Years after the return of the *Engliſh* Ships) can be imputed to the King.

Life of *Lewis* xiii. p. 79.

The Fifth Charge.

V. THE fifth Article is, the Deſign of the *German Horſe, Loans, Privy Seals, Coat and Conduct Money, Ship Money, and the many Monopolies*;

nopolies; all which, are particularly mention'd in the firſt *Remonſtrance* of the Houſe of Commons of the 15th of *December*, 1642. as the Effects of evil Counſellors, and with a Proteſtation in that Petition which accompany'd it to his Majeſty, that *it was without the leaſt Intention to lay a Blemiſh upon his Majeſty's Royal Perſon, but only to repreſent how his Royal Authority and Truſt had been abuſed:* And finding that the vile Language and Aſperſions which they caſt upon the King, were generally cenſured and ill ſpoken of: The Lords and Commons afterwards in their Declaration of the 19th of *May*, tell the People, *that if they ſhould ſay, that all the ill Things done of late in his Majeſty's Name, have been done by himſelf, they ſhould neither follow the direction of the Law, nor the Affection of their own Hearts*, which, they ſay, is as much as may be to clear his Majeſty of all imputation of Miſgovernment, and to lay the Fault upon his Miniſters; and then finding Fault with thoſe, who make his Majeſty the Author of evil Counſels, they uſe theſe Words, *We his Majeſty's loyal and dutiful Subjects, can uſe no other Stile, according to that Maxim of the Law,* [*The King can do no wrong:*] *but if any Ill be committed in Matter of State, the Council; if in Matters of Juſtice, the Judges muſt anſwer for it:* So that if they would guide themſelves either by the *good old*, or *their own new Laws* (from which, in Truth, they ſwerve no leſs, than from the other) they have themſelves

Ex. Col. p. 1.

Ex. Col. P. 198, 199.

anſwered,

anſwered, and declared againſt this Article; but ſince that is not currant, examin the Particulars.

THE Time when this Deſign is ſuppoſed to have been, was, when his Majeſty had a War with the two greateſt Kings of Chriſtendom, *France* and *Spain*; and therefore if he had purpoſed to have drawn auxiliary Forces into his Service, it had been no Wonder, nor more than all Princes uſe, yet in Truth, there was never any Deſign to bring in *German* Horſe; only in thoſe unquiet Times, when the Kingdom was ſo much threatned from abroad, amongſt other Expedients, for Strength and Defence, ſuch a Propoſition was made, or rather ſome Diſcourſe upon it, which the King rejected, and did never conſent that it ſhould be put in Practice; and therefore it may ſeem ſtrange, that this Deſign ſhould be now objected againſt his Majeſty, who alone refuſed and hindred it, and that *Balfore* and *Dalbiere*, (who were the Principal, if not the only Projectors of it) ſhould be in ſuch high Reputation and Eſteem with the Declarers.

THE *Loans*, *Privy Seals*, and other Courſes of raiſing Money were upon extraordinary, and emergent Occaſions, and of the ſame Nature, that have been in all Times practiſed, upon Reaſon and *Neceſſity of State:* And *Monopolies* are Weeds, that have always grown in the fat Soil which long Peace and Plenty makes, and of that Kind they may find a larger Catalogue in their *Journal-Book* of the 43d Year of Queen *Elizabeth*,

eth (a Time that no ſober Man complains of) than in any Time ſince, and which was not then, for reaſonably can be imputed to the Crown, ince new Inventions have juſtly ſo great En-:ouragements and Privileges by the Law, that f thoſe Miniſters, through whoſe Hands ſuch Grants are to paſs, are not very vigilant, it is not poſſible, but upon ſpecious Pretences, ma-ny Things unwarrantable, of that Nature, will have the countenance of the *King's Hand*; yet thoſe Particulars were no ſooner complained of :o his Majeſty, than he willingly applied the Remedies which were propoſed; and before theſe *Troubles* began, paſſed ſuch *excellent Laws* for the prevention of the like Inconveniences for the future, that a better Security cannot be provided: So that Men muſt think *this Rebellion* to have been raiſed on the behalf of, not againſt thoſe Exorbitances, which without it, could never probably have been again exerciſed in this Kingdom.

AND here the People cannot enough obſerve, and wonder, that theſe Grievances ſhould, in this Manner, be objected againſt the King, who removed and aboliſhed them, in a Time when, and by thoſe, who have renewed and improved the ſame, and introduced new Vexations upon his Subjects in an illimited Manner, and intolerable Proportion.

THAT, They ſhould complain of a Deſign of bringing in *German Horſe* to enſlave us, which (if any ſuch Deſigns were) by the Goodneſs of the

the King was fruſtrated and rejected) who have actually brought in an Army of all Nations upon us, and have no Pretence of continuing it but that they may ſubdue us, diſſolve the Government of the Kingdom, and make us Slaves to their own Paſſions and Appetite.

THAT, They ſhould remember the King of *inforced Loans*, *Privy Seals*, *Coat and Conduct Money*, who (ſince the ſame have been abrogated by him) have by their Ordinance, compelled Men to lend *the Fifth and the Twentieth part of their Eſtates*, for the *maintenance of their Armies*; that *fifth* and *twentieth* Part to be rated according to ſuch Proportion, as certain Perſons named by them ſhall *aſſeſs*, and if any Perſon ſhall refuſe to pay the Money ſo aſſeſſed upon him, then Collectors ſhall *levy it by Diſtreſs*, and for want of Diſtreſs he ſhall be committed to Priſon, with ſuch Circumſtances of Severity and Uncharitableneſs as were never exerciſed by any Royal Command.

Ex. Col. pag. 763, 764, 765.

Coll. Ordin. 2 vol. p. 173.

THAT, They ſhould complain of the *ingroſſing of Gunpowder*, in which his Majeſty did nothing but what by his legal Prerogative he might do, who by their Ordinance of the 3d of *April*, 1644. for the *making of Saltpeter*, and by the other of the 7th of *February* 1645. for *making Gun-powder*, have eſtabliſhed *all* thoſe Clauſes in his Majeſty's Commiſſion, of which there was any colour of Complaint, to Projectors of their own, with ſo much worſe Circumſtances, as the Juriſdiction their Committees exerciſe,

Col. Ord. 2 vol. p. 477, & 796

ercise, (to whom Appeals are to be made) is more grievous, chargeable, and insupportable, than that was of the Council-Table.

THAT, They should mention the *Patent of Wine*, which was to pay *forty Shillings* upon the Tun to his Majesty, when by the Ordinance of the 22d of *July*, 1643. they have laid an Imposition upon it of *six Pounds*, over and above all Customs, and by the Ordinance of the 9th of *October following*, have authorized the *Vintners* to sell it at as great, and some at greater Prices, than was ever tolerated during the Time of his Majesty's Imposition.

Lastly, (TO omit the other Particulars of *Salt*, *Allum*, *Tobacco*, and the rest, upon every one of which they have, by their particular Ordinances, laid much heavier Taxes than was thought of in those Times) That they should reproach the King with the Ship-Money (which, by their own Computation came not to above 200000 *l.* by the Year) as the *compendium of all Oppression and Slavery*, for which his Majesty had a *Judgment* in a Court of Law, before all the Judges of *England*, and which was always levied by the due forms of Law, and which his Majesty, when he was informed of the injustice of it, frankly quitted, and did his best to pull it up by the Roots, that no Branch of it may hereafter grow up to the disquiet of his People, when themselves have almost ever since by that one Ordinance of the 1st of *March*, 1642. imposed a weekly Tax upon the King- Ex. Col. P. 932.

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dom of *three and thirty Thouſand five Hundred and eighteen Pounds*, which in the Year amounts to no leſs than *one Million ſeven hundred forty two Thouſand nine Hundred and odd Pounds*, to which they have ſince added, by their Ordinance of the 18th of *October*, 1644. for the Relief of the *Britiſh Army* in *Ireland*, a Weekly Tax upon the Kingdom, of *three Thouſand eight Hundred pounds*, which, in the Year, comes to *one Hundred ninety ſeven Thouſand ſix Hundred and odd pounds* (as much as ever Ship-Money aroſe to) over and above *Free-quarter*, and all their other Orders for *Sequeſtration*, and *twentieth part*, and the cruel Circumſtances in the executing thoſe and all other Ordinances, againſt the irregular doing whereof, they will allow no Appeal to the Judges, though of their own making, but reſerve the intire Connuſance and Direction to themſelves.

Col. Ord. 2 vol. p. 563.

IT is pity that *Parentheſis* of the *Spaniſh* Fleet, with a great Army therein, brought into the *Downs* 1639. (of which out of their Goodneſs, they ſay, they will ſay nothing) ſhould receive no Anſwer; That having been often unskilfully ſpoken of, as it is now inſinuated, as a Deſign againſt *England*, whereas they who know any Thing, know, that Fleet was bound from *Spain* to *Flanders*, with Money to pay their Army, and new levied Soldiers to recruit it, of which there was the greater number, becauſe it was purpoſed to carry many old Soldiers from thence to *Catalonia*, but all thoſe Soldiers in the

the Fleet were without Arms, and without Officers, and the Fleet ſo far from being provided for an Invaſion, that in a little Fight with the *Hollanders* before the Wind brought them into the *Downs*, they had ſo near ſpent their Powder, that they had a Supply for their Money from *London*, which the King could not in Honour and Juſtice deny, the *Hollanders* themſelves offering them what Powder they wanted for ready Money.

The Sixth Charge.

VI. NEXT follows the Torture our Bodies heretofore ſuffered by *Whipping*, *Cutting off Ears*, *Pillories*, and the like, with *cloſe Impriſonment*, aggravated with the *Dominion exerciſed over our Souls*, *by Oaths*, *Excommunications*, *new Canons*, *&c.* by which they would have it concluded, that his Majeſty's Government was full of *Cruelty* and *Oppreſſion.*

IT is an undeniable Evidence of the excellent Government, Sobriety and Obedience at that Time, that there were not above ſix infamous Perſons, from the beginning of his Majeſty's Reign, to the firſt Day of this unhappy Parliament, who were publickly taken notice of to have merited thoſe corporal Puniſhments and Shame; and of the Mercy of that Time, that thoſe ſuffered no greater, there being not one of them who was not guilty of Sedition to that Degree, that by the Law they were liable to heavier Judgments than they underwent: And for the Oaths, Excommunications, Ceremonies,

and Canons, they were no other, and no otherwiſe exerciſed, than was agreeable to the Laws, and the Government eſtabliſhed; of and for which, the Sects, Schiſms and Hereſies, the Diſſoluteneſs, Profaneneſs and Impiety, which have followed ſince that bleſſed Order hath been diſcountenanced and ſuppreſſed, hath made a fuller and more ſenſible Vindication, than any Diſcourſe can do.

AND here the People will again take notice, that theſe Judgments and Proceedings (which always paſſed in due form of Law, in Courts of Juſtice, and in which no innocent Man can pretend to have ſuffered) are objected againſt the King, by thoſe, who without any colour of Juriſdiction, but what themſelves have aſſumed and uſurped, inſtead of inflicting any ordinary Puniſhment, take away the Lives of their fellow Subjects, who have not treſpaſſed againſt any known Law, and impriſon others, with ſuch unuſual Circumſtances of Reſtraint, Cruelty, and Inhumanity, that many Perſons of Reputation, Integrity and Fortunes, being firſt robbed and ſpoiled of all their Eſtates, for not conforming themſelves to the Wickedneſs of the Time, have periſhed in Priſon, and very many of the ſame Condition, are like to do ſo for want of ſuch Nouriſhment, as may ſatisfy Nature; and whoſoever compares the good old Oaths formed and adminiſtred by lawful Authority, to every Clauſe whereof the Conſciences of theſe very Men have ſeemed fully to ſubmit, with the

the Oaths and Covenants enjoyned by themſelves, will have Reaſon to conclude Mens Souls were never in ſo much Danger of Captivity; and that what the worſt Men underwent for their notorious Crimes in the Time of which they complain, was Recreation and Pleaſure, to what all are now compelled to endure, for being honeſt and conſcientious Men.

VII. THE long *Intermiſſion of Parliaments* is remembred, and that at the Diſſolution of ſome, *Privileges have been broken, and that followed with cloſe Impriſonment and Death.* *The ſeventh Charge.*

THAT long Intermiſſion of Parliaments was graciouſly prevented and remedied for the future long before theſe Troubles, by his Majeſty's Conſent to the Bill for *Triennial Parliaments*, and the People would think themſelves very happy, if they had no more cauſe to complain of the Continuance of this, than of the former Intermiſſion, they having during thoſe twelve Years, enjoy'd as great a meaſure of Proſperity and Plenty, as any People in any Age have known, and an equal Proportion of Miſery ſince the beginning of this: For, *the breach of Privilege*, and *impriſonment of Members*, the Laws were open for all Men to appeal and have recourſe to, and that ſingle Perſon that died under reſtraint, ſuffered that reſtraint by a *Judgment* of the *King's Bench*, ſo that if there were any Injuſtice in the Caſe, it cannot be charged upon his Majeſty.

The Eighth Charge.

VIII. THE Scene is now removed into *Scotland*, and the *new Liturgy* and *Canons* with what ſucceeded thereupon, makes up the next Charge, aggravated with the *Cancelling and burning the Articles of Pacification* which had been there made upon the Mediation of the *Lords*.

IF the King had not been ſo tender of the *Act of Oblivion* in the Treaty of Pacification between the two Kingdoms, that he would not ſuffer any Provocation to incline him to ravel into that Buſineſs, he might eaſily have freed himſelf from all thoſe Calumnies and Aſperſions; and it will be but Juſtice and Gratitude in that Nation, highly to reſent, that whilſt all guilty Men ſhelter themſelves under that *Act of Oblivion*, his Majeſty, (who is the only innocent or injur'd Perſon) ſhould have his Mouth ſtopped by it (which is his own Expreſſion and Complaint in his Anſwer to the Declaration at *Newmarket*) from any Reply to the Reproaches caſt on him in that Matter; otherwiſe he might eaſily have made it appear, that that *Liturgy* and thoſe *Canons* were regularly made and framed, and ſent thither by the Advice, or with the Approbation of the Lords of the Council of that Kingdom; and if the putting them in Practice and Execution was purſu'd with more Paſſion and Impatience there, than in Prudence and Policy was agreeable, the Error was wholly to be imputed to thoſe Miniſters of that Kingdom, who were moſt proper to be truſted in it; however,

Ex. Col. p. 106.

ever, that ſo general a Defection, and Inſurrection was not, in any Degree, juſtifiable or warrantable by the Laws of that Kingdom, is moſt certain, they having no viſible Form either of Parliament or King to countenance them, as the Army hath lately obſerved: And that the Pacification firſt made by his Majeſty's Mercy, and Chriſtian Deſire to prevent the Effuſion of the Blood of his Subjects, how ill ſoever, was broken by them, and thereupon declin'd by the full Advice of the Lords of his Council, by whoſe unanimous Advice, the Articles were publickly burned, as may appear by the Record in the Council-Book of that Tranſaction.

Decl. and Papers of the Army. P. 39.

IX. In the next is remembred, *the calling and diſſolving the ſhort Parliament*, and the King's proceeding after the Diſſolution. *The Ninth Charge.*

That the calling of that Parliament, was an Act of the King's great Wiſdom and Goodneſs, was then juſtly and generally acknowledged, and that it was in his own Power to diſſolve it when he thought fit, is as little doubted, but that he did unhappily for himſelf, by falſe Information in Matter of Fact, and evil Advice, diſſolve that Parliament, is believ'd by all Men, and upon the Matter confeſſed by himſelf, and that that Information and Advice was moſt pernicious, and the Riſe of all the Miſeries we have ſince undergone, is not deny'd; and 'tis therefore the more wonder'd at, that the Charge of

that Guilt being Part of the Impeachment againſt two great Perſons, whoſe Blood they have ſince drunk, that Particular was declined in the Proſecution of them both; and that tho' it be enough known, by whoſe falſe Information and Inſtigation that unfortunate Counſel was followed, extraordinary Care hath been taken, that he ſhould not be queſtion'd for it, which, together with the exceſſive Joy that the Principal Actors in theſe late Miſchiefs expreſſed at that ſad Time, gives Men Reaſon to conclude, that it was contrived by thoſe who have reaped the Fruit and Advantage of the Error: What the King took from his Subjects by Power, which he could not otherwiſe obtain, after that Diſſolution, is not particularly ſet forth, and therefore it is very probable, there was no ground for the Calumny, nor indeed was any Man a Loſer by any ſuch Act of his Majeſty.

The Tenth Charge.

X. THUS far the Catalogue reaches of the King's enormous Crimes, during the *firſt ſixteen Years of his Reign, to the Beginning of this Parliament*, in which they confeſs they proceeded with Eaſe, as long as there was any Hope, that they would *comply with his Majeſty againſt the* Scots, and give aſſiſtance to that War; but when *he found that Hope vain*, and that they began to queſtion the Authors of thoſe pernicious Counſels, his Majeſty diſcovered himſelf ſo *ſtrongly and paſſionately affected to malignant Counſellors, and their Counſels*, that he would ſooner

ſooner *deſert and force the Parliament and Kingdom*, than alter his Courſe, or deliver up his wicked Counſellors to Law and Juſtice.

THERE are not ſo many Years expired, ſince the beginning of this Parliament, (tho' it hath been a tedious Age of Miſery and Confuſion) but that all Mens Memories will recollect and repreſent to them the Folly and the Falſhood of this Charge: It is not imaginable that the King could expect, after the beginning of this Parliament, that it would comply with him and give him aſſiſtance in a War againſt the *Scots*, when he plainly diſcover'd, that they who were like to be, and afterwards proved, the chief Leaders and Directors in that Council, were of the ſame Party; and how far he was from ſheltring any Counſellor or Servant from Juſtice, or any colourable proceeding of the Law, is as well known: Neither did he deny his Royal Aſſent to any one Bill, till after he was by Force and Tumults driven from *White-Hall*, and after he had indeed conſented to whatſoever *could be honeſtly asked of him for the Security and Benefit of the Kingdom.*

XI. THE *Queen* is too near his Majeſty not to bear a Part and a Share with him in theſe Calumnies, and therefore *her Deſign to advance Popery* is remembred, and her obſerving a *Popiſh Faſt*, with Secretary *Windebank*'s going beyond Sea by *His Majeſty's Paſs*, after he was queſtion'd by the Houſe of Commons. *The Eleventh Charge.*

WHAT that Deſign of her Majeſty was for the Advancement of Popery, is not particularly mention'd, and therefore no Anſwer can be given to it, and having expreſſed ſo much Undutifulneſs and Malice to her Majeſty, throughout the whole courſe of their Rebellion, it is not probable, they have concealed any Thing they could lay to her charge; for the *Faſt* obſerved by her, it is well known that the Time of it, was when the King was in the Field, and his Perſon liable to much Danger, which Piety and Devotion was very agreeable to her Goodneſs and exemplary Affection towards her Husband: And the Kingdom would think itſelf abundantly bleſſed, if the Faſts ſince obſerved by theſe Men, had produced no worſe effects, than that did which was obſerved by her Majeſty. For S. *Windebank*, the *Houſe of Commons* had it in their Power to have proceeded againſt him, and to have prevented his Eſcape, he being in the Houſe, and according to Order withdrawn into the Committee-Chamber, after the Report was made, and after as much appeared againſt him, as was ever objected or diſcovered afterwards; but the Houſe, contrary to Cuſtom, roſe without proceeding upon it, and therefore his Majeſty might very well give him leave to diſpoſe of himſelf: And the Truth is, they by whom the Houſe was then guided, were beſt pleaſed with his abſence, and purpoſely declined the proceeding againſt him, when he was in their Hands, thinking it eaſier to

procure

procure his Place for one of their principal Members, to whom they had design'd it, upon the Advantage of his Flight, than if he had staid to abide his Trial, which for many Reasons they would not have thought fit to hasten, or to proceed in.

XII. The Allegations of *Commissions given to Popish Agents for private Levies* (except they intend the Collections made amongst the Papists, of Money for the King's Expedition into the *North*, which was likewise amongst, and no less liberally comply'd with by the Lords of the Privy Council, and the other Protestants of the best Quality throughout the Kingdom) or that the Papists began to rise and arm themselves in the *North-west* of *England* and *Wales*, the raising Soldiers under Pretence for *Portugal*, and the seizing of the *Tower*, are so stale, vain and ridiculous, that (though upon the first Contrivance of them, the Fame served the Turn of the Contrivers, Mens Observation and Knowledge having since informed them, that there was nothing like either of them) there needs no further Answer to them. *The 12th. Charge.*

XIII. The next Article is, the great Cabal for *bringing up the* Northern *Army to overawe the Parliament*, the chief Part of which they can prove (they say) to come from himself *to the main Actors*, tho' *the King did so often and solemnly disavow it*, as nothing but loose *The 13th. Charge.*

looſe Diſcourſes of a modeſt Petition, *which alſo vaniſhed two or three Months* (he ſaith) *before they knew of it.*

THEY do well to except againſt the King's poſitive denying it, when they have only their own confident and poſitive affirming it for Proof; but they had need ſuppreſs and burn all his Majeſty's Declarations and Anſwers, in which he hath abundantly ſatisfy'd the World in this Particular, as well as they reſtrain his Perſon, and as they have concealed all thoſe Depoſitions taken by themſelves in this Argument, which would manifeſt clearly, that there was no ſuch Deſign by his Majeſty, ſo they need recall all thoſe they have already Publiſh'd, if they deſire to have that Deſign believ'd.

Exact Collect. p. 107.

THE King in his Anſwer to the Declaration preſented to him at *Newmarket*, uſes theſe Words, *We cannot without great Indignation ſuffer Ourſelf to be reproached, to have intended the leaſt Force or Threatning to Our Parliament, as the being privy to the bringing up the Army, would imply, whereas We call God to witneſs, We never had any ſuch Thought, or knew of any ſuch Reſolution concerning Our late Army:* And afterwards his Majeſty, in his Declaration of the 12th of *Auguſt*, (a Declaration that never was offered to be Anſwered) at large ſet forth all he ever knew of that Buſineſs, or which, upon exact enquiry, he could imagin to be in it, by which it plainly appears, *that ſome Officers* of the Army, (of very good and confeſſed Reputation

putation for their Affection to their Country) obſerving the ſtrange Petitions every Day preſented to the Houſe of Commons againſt the eſtabliſh'd Laws and Government of the Kingdom, and the unlawful Manner in the delivering thoſe Petitions, by Thouſands of diſorderly Perſons in Tumults, ſuppoſed, that a Petition of a moſt modeſt and dutiful Nature from the whole Army, for the compoſing and ſetling all Grievances in the Church and State by Law, might for the Reaſon of it, prevail with the whole Houſe, and coming from ſuch a Body, might confirm thoſe, who might be ſhaken with any Fears of Power, or Force by the Tumults; and his Majeſty being made acquainted with this Propoſition, gave his full Approbation to it, which he had great Reaſon to do, ſince as there was notable Induſtry uſed to corrupt his Army, and to make it applicable to the ill purpoſes then reſolved on; ſo Pains was taken to perſwade the People, that it was in Truth, very indevoted to the King, and ready to ſerve the Parliament any Way it ſhould direct: And (as his Majeſty ſays) if in the Managery of this Debate, any raſh Diſcourſes happened of bringing up the Army, it is evident whether they were propoſed in earneſt or no, that they were never entertain'd, and the whole Matter was laid aſide, above two Months before any Diſcovery, ſo that that Danger was never prevented by the Power or Wiſdom of Parliament. Ex. Col. p. 524.

IT appears by the Evidence and Depoſitions publiſh'd by themſelves, by the *Order* of the 19th of *May* 1642. together with that *Declaration*, that *this dangerous Plot began without the leaſt Privity of the Kings, upon ſome Officers taking Offence and Diſlike, that of fifty thouſand Pounds Order'd for payment of the King's Army, ten thouſand Pounds was taken, by an after Order, out of that Sum, to ſatisfy a new Motion and Importunity from the* Scots: And that thoſe Officers, upon that Diſtaſte, diſcourſed, that they were diſobliged by the Parliament, and not by the King, and thereupon concluded to tender their Services to his Majeſty in all Things *honourable and agreeable to the Fundamental Laws of the Kingdom:* That in Debates afterwards together, mention was made of *bringing up the Army to* London, *and making ſure the* Tower; and as ſoon rejected, as propoſed; *and only propoſed*, (as their Evidence ſays) *to ſhew the Vanity and Danger of other Propoſitions:* And that when the King was made acquainted with it, he ſaid, *Thoſe Ways were Vain and Fooliſh, and that they ſhould think of them no more.*

Ex. Col. p. 218.

P. 217.

P. 129.

THAT the Petition itſelf, which his Majeſty approved, and was not above the ſize of Petitions, and very much modeſter than any one Petition received by the Authors of this Declaration with Approbation, appears by the Petition itſelf, to be read in the 563d Pag. of the 1ſt Vol. of the *Collect.* of *Ord.* Publiſhed by themſelves, which being directed to the two

two Houſes, as well as to the King, took notice of the ſeditious Tumults, which they ſaid, *had beſet the Parliament and White-Hall itſelf, not only to the Prejudice of that Freedom, which is Neceſſary to great Counſels and Judicatories, but poſſibly to ſome perſonal Danger of his ſacred Majeſty and Peers*, and therefore deſired, that the Ring-leaders of thoſe Tumults might be puniſh'd, and that his Majeſty and the Parliament might be ſecured from ſuch Inſolencies hereafter; for the ſuppreſſing of which, *they offered themſelves to wait on them*, if they pleaſed, which hath not been ſince *thought ſo unnatural a Security, an Army being ſince called up and kept about them, upon the ſame Pretences*, to the ſame Purpoſe, of which more muſt be ſaid anon: And for the Strangeneſs ſuggeſted, that three Gentlemen ſhould fly beyond Sea, upon Diſcovery of a modeſt Petition, it is no Wonder, when Men were every Day impriſon'd, ruin'd, and deſtroy'd upon the moſt trivial Diſcoveries, and unreaſonable Conjectures and Apprehenſions, that Men deſired to avoid their Judgment, (who had it in their Power to put what Interpretation they pleaſed upon any Diſcovery, and to inflict what Puniſhments they thought fit upon ſuch Interpretation) or that the King contributed his Allowance, to remove his Servants from ſuch a Tribunal.

IT is a wonderful Preſumption theſe Men have upon the Credulity of the People, that they will not examin the Truth of any Thing they alledge,

alledge, how eaſy ſoever it is to diſprove them; otherwiſe they would not affirm, that at the meeting of Officers at *Burrough-Bridge*, Propoſitions were made, and private Inſtructions brought from the King, whereas it appears, by their own Evidence, that Captain *Chudleigh*, who is ſuppoſed to have brought thoſe Propoſitions thither (and what they were, appears not) did not receive thoſe Propoſitions *from the King*; and that when he kiſſed the King's *Hand*, *His Majeſty ſpake not a Word to him of thoſe Propoſitions*, which, without doubt, he would have done, if he had been privy to, or expected any Thing from his Agitation, it being not alledged, that there was any other Officer of the Army, at that Time, ſo immediately employ'd or truſted in that Agitation: And as there hath not been the leaſt colourable Evidence in any of the Depoſitions then, or ſince Publiſhed, which can reflect upon the King: And as there is much in Maſter *Goring*'s ſecond Examination, and other Depoſitions ſuppreſſed by them, which, if produced, would manifeſt that there was never any ſuch Deſign, as is ſuggeſted; *and that to the very Communication concerning it, the King was not any way privy, and diſliked it when he heard of it.* So it was obſerved then, and not a little wondred at, that Captain *Chudleigh*, who was the Principal Perſon employ'd, and who confeſſes in his Examination of the 10th of *May*, that he uſed all his Power to incenſe the Army againſt

Ex. Col. p. 223.

Collect. Exact. p. 220.

againſt the Parliament; and to kindle a Zeal in them towards the King, was ſo far from being in diſfavour with them, that he was immediately employ'd by them into *Ireland*, and afterwards re-call'd thence, and truſted in the ſecond, if not the firſt, Command in the *Weſt* againſt the King, which they would not have done, if he had been in that Manner firſt engag'd by his Majeſty.

FOR the Diſcourſe of the Prince his meeting the Army, with the Earl of *Newcaſtle*, and Body of Horſe, it is prov'd to be by a private *Major* in the Army, who had not only any Relation to the King, but at that Time had never ſpoken a Word with *his Majeſty* in his Life, and had no more Ground, than the other of the Deſign, for ſome *French* to ſeize on *Portſmouth*, which is ſo ridiculous, that it needs no other Anſwer than repeating it.

Exact Collect. p. 42.

XIV. THE Offers made to the *Scots* of the Plunder of *London*, if they would advance, or of four *Northern* Counties, with three Hundred Thouſand Pounds, or *Jewels* of great value, but to ſtand Neuters in that Deſign, is another impoſſible Branch of this Charge, for which there appears not the leaſt Pretence of Proof in any Thing Publiſhed by them, (and they have not been tender of Publiſhing all they know or imagin'd) but that Maſter *Oneale* aſked Sir *Jacob Aſhly*, what if the *Scots* could be made Neutral? It is not imaginable that the

The Fourteenth Charge.

King

King knew not the Temper of that Time (which he ſo grievouſly felt) well enough, to conclude that the Parliament and the *Scots* were too faſt combined, to be ſever'd for any Intereſt of his; and the Offer of four *Northern* Counties, (a Thing ſo confeſſedly out of the King's Power to give) is ſo ſenſleſs a Calumny, that no Man, out of the higheſt Fit of Madneſs can believe it, and they to whom this Offer is ſuppoſed to be made, would, in all this Time, have accuſed the King of it, if they had been able to juſtify any Thing like it.

HOWEVER, it is to be obſerv'd, that tho' theſe Men hold theſe imaginable Overtures and Deſigns, to be very hainous Crimes in the King, they reckon the reducing ſuch Deſigns into real and compleat Execution, no Offences in themſelves; and that tho' the King may not wiſh his Subjects of *Scotland* to ſtand *Neuters* in the Differences between his Majeſty and his *Engliſh* People, yet it is no Fault in them to ingage that Nation to aſſiſt them in Arms againſt the Sovereign of both Kingdoms; and though a curſory Diſcourſe by other Men, of bringing up the Army to awe the Parliament, be alledged as a Breach of Truſt againſt the King, never to be forgotten, yet the actual bringing up an Army upon them, and thereby awing it ſo far, as the driving away many Members, and making thoſe who remain'd do any Thing that Army directs, is

no

no Offence in them, either againſt the Freedom or Privilege of Parliament.

To that Clauſe his Majeſty not being perſwaded by their Petitions to defer his Journey into *Scotland*, in the Year 1641. there needs no Anſwer, than the remembring his Majeſty's own Words in his Declaration of the 12th of *Auguſt*, which are theſe: *We gave them warning that if there were any more good Bills, which they deſir'd might paſs for the Benefit of Our Subjects, We wiſhed they might be made ready againſt ſuch a Time, when We reſolv'd, according to Our Promiſe to Our* Scotch *Subjects, (with which they were well acquainted) to repair into Our Kingdom of* Scotland, *to ſettle the unhappy Differences there: Upon this We were earneſtly deſired by both Our Houſes of Parliament, to defer Our Journey thither, as well upon Pretence of the Danger, if both Armies were not firſt Disbanded, as that they had many good Laws in readineſs for the ſettling of Differences here, We were, by their Intreaty, perſwaded to defer Our Journey to a Day agreed on by themſelves, &c.* Which Relation at large of what followed, may ſatisfy all Men of his Majeſty's extraordinary Compliance; and when he went, he left ſuch a Commiſſion behind him, as was agreeable to Law, and ſufficient to prevent any Inconveniencies which might ariſe in his abſence; whereas, That deſir'd by them, (being *to conſent to all Acts they ſhould paſs before he return'd*) was ſo monſtrous, illegal, and unheard of, that they were Exact Collect. p. 525.

themſelves aſham'd to preſs it farther, and reſted ſatisfy'd with that which his Majeſty granted; nor does it appear that there was in any Time before, any iſſued out by the Means of Secretary *Windebank* of a larger extent; or that was not agreeable to Law, and the Policy of that Time.

The Fifteenth Charge.

XV. Now ſucceeds the high Charge of the Buſineſs of *Ireland*, as if they hop'd to perſwade the People, that the King is acceſſary to a Treaſon and Rebellion againſt himſelf; and that in a Time when there were ſo great Diſtractions in two of his Kingdoms, he ſhould, himſelf, put the Third into a Flame, that ſo he might have none to help him, to quench the Fire that was kindled in the other; the Particulars out of which this grand Charge is compounded ſhall be ſeverally examin'd.

THEY who have uſed no kind of Conſcience or Civility in the publiſhing all Letters of his Majeſty's, (by what ill Means ſoever the ſame have come into their Hands) which they imagin'd might, by the Simplicity and Weakneſs of the People, or the moſt malitious Gloſſes or Interpretations they could put upon them, beget any Prejudice to his Majeſty, cannot be imagin'd now to conceal any Thing that would contribute to their Purpoſe, and therefore their not Publiſhing thoſe Letters, which, they ſay, the King ſent into *Ireland* by the Lord *Dillon*, immediately before the Rebellion, is Argument ſufficient,

ſufficient, that either there were no ſuch Letters, or nothing in them, which can in any ſenſe reflect upon his Majeſty; nor can it find Credit with any (not maliciouſly and ſtupidly ſottiſh) that after ſo many reiterated Infuſions into the People by their ſeveral Declarations, that the Rebels of *Ireland* avow'd, that they had a Commiſſion under the great Seal of *England* for what they did; It is now inverted into a Commiſſion under the great Seal of *Scotland*, Sealed at *Edenburgh* when the King was laſt there; when it is known, he could no more have affix'd that Seal (in whoſe Hands ſoever it was) to any ſuch Inſtrument, (if he had had the Will, which no Chriſtian believes he had) than he can now diſpoſe of that at *London*, of which Commiſſion, the World ſhould long ſince have been informed by the *Scots*, if they could have found a probable Ground for the Suggeſtion: And ſurely theſe Men would have Publiſhed the Depoſitions of thoſe, who (they ſay) have ſeen it, if they had believ'd them ſuch, as would find Credit amongſt Men.

WHAT was promis'd to the *Iriſh* Committee at *London*, is like to be much better known to the Authors of this *Declaration*, than to his Majeſty, the greater Part whereof being Papiſts, and ſince Active Rebels, having during their ſtay in *London*, ſo great an Intereſt in the powerful and active Members there, that they were able to prevail with them to interpoſe in

the Affairs of that Kingdom in ſuch manner as they deſir'd; and very probably then laid the Foundation, and Deſign of their future Rebellion, upon the Principles they then ſaw introduc'd and countenanc'd here: By the earneſt Advice, and importunate Interpoſition of ſome of thoſe Principal Members, they prevail'd, that after the Death of the Lord Deputy *Wansford*, no ſuch Perſon might be appointed temporarily to ſucceed, as was like by his Power and Vigilance to prevent the Wickedneſs they intended; and if the King gave away, or promiſed them more than five Counties, it was not upon their private Mediation, but their Publick Addreſs according to their Inſtructions from the Parliament, after the Houſe of Commons had made the Recovery of, and Intitling his Majeſty to thoſe Counties, a particular Article of their Impeachment againſt the Earl of *Strafford*, and ſo blemiſhed his Majeſty's Juſt and Legal Intereſt, and what his Majeſty did thereupon, was by the full and deliberate Advice of his Council-Board, according to uſual Forms obſerved in the Affairs of that Kingdom: It is very probable that his Majeſty might think himſelf, at that Time, oppreſs'd by the two Houſes of Parliament, as he had great Cauſe, but that he ſhould expreſs ſo much, and wiſh that he could be revenged on them, to, or before that Committee, whom, at that Time, he had Reaſon to believe to be combined

bined with the other, is more than very unlikely.

THE not Disbanding the *Iriſh Army* is next remember'd, and indeed ought not to be forgotten; the not ſeaſonably diſpoſing that Body, giving, no doubt, a great Riſe, and contributing much to the Rebellion, that ſhortly after broke out; but where the Fault of that was, is as evident.

THAT Army was Juſtly and Prudently rais'd, when the Intention in *Scotland* was clearly known to invade *England*, and with a Purpoſe to reſtrain and divert that Expedition, and, if Need were, to reduce that Kingdom to their Allegiance, which was the Senſe, and could be no other of thoſe Words charged upon the Earl of *Strafford*, if any ſuch Words were ſpoken: And after the *Scots Army* was enter'd *England*, it was no Wonder if the King were not forward to Disband that Army, till he could diſcern that the other did in Truth intend to return, and he no ſooner was confident of the one, than he reſolved the other; but then he wiſely conſider'd, that the Disbanding ſuch a Body at that Time, when ſo much Licenſe was tranſplanted out of this, into that Kingdom, was not ſo like to contribute to the Peace of it, as the tranſporting them; and therefore his Majeſty agreed with the *Spaniſh Ambaſſador*, that he ſhould have Leave to tranſport three or four Thouſand of them for his Maſter's Service, which was no ſooner known, but the *Iriſh*

Committee then at *London*, (who, it may be, had otherwiſe deſign'd the Service of thoſe Men) prevail'd with the Houſe of Commons to interpoſe, and hinder the Execution of that Agreement, who, (principally, upon Conſideration of the Umbrage the Crown of *France* might take at ſuch an Aſſiſtance given to *Spain*) preſſed the King to revoke that Grant, and to conſent to the Disbanding: That Objection was eaſily anſwer'd by his Majeſty, having agreed likewiſe with the *French Ambaſſador*, that the like number ſhould be likewiſe Tranſported for *France*, whereby the whole Army would have been diſpoſed of; againſt which, the *Iriſh Committee* more preſſed than againſt the other, alledging, that there were not Men in that Kingdom to ſpare: Whereupon, the Houſe of Commons (by their private Agents) prevail'd with the *French Ambaſſador* (who more deſired to hinder the Supply for *Spain*, than to procure the like for his Maſter, and it may be, to ſee the King controll'd by the Parliament than either of the other) to releaſe the King of his Promiſe to him, ſo that they would prevent the *Spaniards* having any Men; and thereupon they re-inforc'd their Importunity to the King for the preſent Disbanding, and not ſending any of that Army out of *Ireland* in ſuch a manner, as his Majeſty was forc'd to yield to it; and thereby (no queſtion) much was contributed to the Opportunity and Diſpoſition of Rebelling; and to whoſe Account that Advantage is to be put,

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all the World may judge: Yet it may be fit to observe, that of that *Irish Army* (which these Men would have believ'd to be no less than a *Stratagem* against the Protestant Religion) not one Officer above the Quality of Captain, and not above two of that Condition, have serv'd in that Rebellion in *Ireland* against the King.

In all Rebellions the Chief Authors and Contrivers of it have made all fair Pretences, and enter'd into such specious *Oaths*, as were most like to seduce and corrupt the People to joyn with them, and to put the fairest Gloss upon their foulest Combination and Conspiracy, and therefore 'tis no Wonder, if the Rebels in *Ireland* framed an *Oath*, by which they would be thought to oblige themselves to bear true Faith and Allegiance to King *Charles*, and by all Means to maintain his Royal Prerogative, at a Time when they intended nothing less: And *Owen Connelly* (who was the first happy Discoverer of that Rebellion) in the same Deposition, in which he says, *The Rebels would pay the King all his Rights*; says likewise, that they said, *They took that Course to imitate* Scotland, *who got a Priviledge by it:* And *Mark Paget*, in the same Examination, in which he says, *That the Rebels report, that they have the King's Warrant and great Seal for what they do*; says likewise, *that they threaten, that as soon as they have rooted out the* British *and* English *there, to invade* England, *and to assist the Papists in* England: And therefore 'tis a wonderful Thing, Ex. Col. p. 237.

that what they ſwear, or what they ſay, ſhould be imputed to him, againſt whom they have rebell'd and forſworn themſelves. The Authors of this Declaration have (beſides their Oaths of *Allegiance* and *Supremacy*) in the *Proteſtation* of the th of *May*, Sworn, That *they would Maintain and Defend the King's Royal Perſon, Honour and Eſtate*; and ſhortly after would perſuade the People, that *they were by that very Proteſtation obliged to take up Arms againſt him*; in their *Declaration* of the 19th of *May*, they uſed theſe Words, *The providing for the Publick Peace and Proſperity of his Majeſty and all his Realms, we Proteſt in the Preſence of the All-ſeeing Deity, to have been, and ſtill to be the only End of all our Counſels, and Endeavours, wherein we have reſolved to continue freed and enlarged from all private Aims, perſonal Reſpects, or Paſſions whatſoever:* And the very next Day Voted, That *he intended to make War againſt his Parliament*, and that *whoſoever ſhould ſerve or aſſiſt him, were Traytors by the fundamental Laws of the Kingdom*, and (upon that Concluſion of his Intention) actually levied an Army, and marched againſt him.

Ex. Col. p. 195.

pag. 259.

Ex. Col. pag. 307.

IN their *Petition* of the 2d of *June*, they tell him, *That they have nothing in their Thoughts, and Deſires, more precious and of higher Eſteem (next to the Honour and immediate Service of God) than the juſt and faithful performance of their Duty to his Majeſty*, and together with that *Petition*, preſent the *Nineteen Propoſitions* to him,

him, by which they leave him *not ſo much Power in his Kingdom, as the meaneſt Member of either Houſe reſerves to himſelf.*

Laſtly, (To omit infinite other Inſtances) in their Inſtructions of the 18th of *Auguſt* to the *Deputy Lieutenants* of *Cheſhire*, they requir'd them to declare unto all Men, *That it had been, and ſtill ſhould be, the Care and Endeavour of both Houſes of Parliament to provide for his Majeſty, That they do not, nor ever did know of any Evil intended to his Majeſty's Perſon*, when the only Buſineſs and End of thoſe Directions and Inſtructions were to raiſe that whole County againſt him: So that this Clauſe of the Rebels Oath in *Ireland*, is no more to be objected againſt the King, than thoſe other Clauſes in their own Oaths and Declarations, which they have not yet charged his Majeſty withal. Ex. Col. p. 572.

CONCERNING the *Proclamation againſt the Rebels in* Ireland, which, they ſay, *they could not obtain in divers Months, and then that but* 40 *Copies were Printed, and expreſs Order given that none ſhould be Publiſh'd till farther Directions:* Hear his Majeſty's own full Anſwer to that Charge, in his Anſwer to the Declaration of the 19th of *May*, in theſe Words, *'Tis well known that we were, when that Rebellion broke forth in* Scotland, *That we immediately, from thence, recommended the Care of that Buſineſs to both Houſes of Parliament here, after we had provided for all fitting Supplies from our Kingdom of* Scotland, *that after Our return hi-* Ex. Col. p. 247.

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ther, We obſerv'd all thoſe Forms for that Service, which we were adviſ'd to by Our Council of Ireland, *or both Houſes of Parliament here; and if no Proclamation iſſued out ſooner, it was becauſe the Lords Juſtices of that Kingdom deſired them no ſooner; and when they did, the Number they deſir'd was but Twenty, which they adviſ'd might be Sign'd by us, which we, for Expedition of the Service, commanded to be Printed, (a Circumſtance not required by them) and thereupon ſign'd more than they deſir'd:* So that it is an impudent Aſſertion, that they could not obtain a Proclamation in divers Months, when they never ſo much as deſir'd or mov'd it; and it was no ſooner mov'd to the King, but he gave Order in it the ſame Hour.

BUT it will not be amiſs, (ſince this Particular hath been, with ſo much Confidence, and ſo often unreaſonably objected againſt his Majeſty) to ſpeak ſomewhat of the Cuſtom and Order uſually obſerved in ſending Proclamations into that Kingdom, and of the Reaſon why ſo many, and no more were at that Time ſent: Except upon any extraordinary Reaſons, the King never ſigns more than the firſt Draught of the Proclamation, fairly ingroſſed in Parchment, which being ſent to the *Lord Deputy*, or *Lords Juſtices in* Ireland, is *there Printed*, and the printed Copies diſperſed, as they are in *England*: His Majeſty's *Sign Manual* being not to any of thoſe Copies: The *Lords Juſtices* and *Council*, taking notice of the Rumour induſtri-

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ouſly ſpread amongſt the *Rebels*, that *they had the King's Authority for what they did*, which might get Credit amongſt ſome; deſir'd *That they might have twenty Proclamations ſent over, ſign'd by the King's Sign* Manual, *to the End, that beſides the printed Copies, which they would diſperſe according to Cuſtom, they might be able to ſend an Original with the King's Hand to it, to thoſe conſiderable Perſons, whom they might ſuſpect to be miſled by that falſe Rumour, who when they ſaw the King's very Hand, would be without Excuſe if they perſiſted:* This Letter and Deſire from the Lords Juſtices and Council, was communicated to the Councel-Board, and the Reſolution there taken, That *they ſhould have double the Number they deſir'd, ſign'd by the King*; and becauſe the ingroſſing ſo many Copies would take up more Time, Directions were given for the Printing *forty Copies*, all which were *ſign'd by his Majeſty*, and with all poſſible ſpeed diſpatch'd into *Ireland*; and the Caution that there ſhould be no more Printed, than were ſent away thither, was very neceſſary, leſt the Rebels, by having Notice of it, ſhould find ſome Device to evade the End, for which they were ſent, and be prepar'd to defend their Old, or raiſe ſome new Scandal upon his Majeſty; beſides, that there was no imaginable Reaſon, why any more ſhould, at that Time, be Printed in *London*.

WHAT was written from Court to the Lord *Muskery*, that his Majeſty was well plea-

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fed with what he did, cannot reflect upon his Majeſty, nor had the Perſon who is ſuppos'd to have written ſuch a Letter (whom they have in former Declarations declared to be the Lord *Dillon*, and who expreſly deny'd the ever writing any ſuch Letter) any Place or Relation at Court, and the King had good Reaſon long after, to write to the *Marquiſs* of *Ormond*, to give particular Thanks to *Muskery* and *Plunket*, they having been both at *Oxford*, employ'd by the *Iriſh* to his Majeſty during the *Ceſſation*, and having made there ſuch Profeſſions of their Endeavours to reduce the other to Reaſon, as might merit his Majeſty's Thanks and Acknowledgement, which his Majeſty hath been as forward to give to ſuch of the Rebels here, as have expreſs'd any Moderation or Inclination to return to their Obedience, and yet he never was well pleas'd with what they have done, nor can give them Thanks for it.

FOR the *delaying and detaining the Earl of Leiceſter*, beyond all Pretence from going againſt the Rebels; it is well known how often his Majeſty preſſed the Houſes, that he might be diſpatched and ſent away, and that it was one of the Reaſons, which his Majeſty gave in his Anſwer to the Petition of both Houſes of the 28th of *April*, of *his Reſolution to go in Perſon into* Ireland, *becauſe the Lord Lieutenant, on whom he relied principally, for the Conduct and Management of Affairs there, was ſtill in this Kingdom, notwithſtanding his earneſtneſs expreſſed,*

Ex. Col. p. 144.

that

that he ſhould repair to his Command; after which, it was near three Months before any Preparation was made for his Journey, and then about the End of *July* or Beginning of *Auguſt*, his Lordſhip came to the King at *York*, to receive his *Inſtructions*, pretending to have his Diſpatch ſo fully from the two Houſes, that he would return no more thither, but as ſoon as he could have his Majeſty's Command, he would immediately to *Cheſter*, and imbark: This being about the Time that the King was preparing Forces for his Defence againſt the Earl of *Eſſex*; the *Earl* was detain'd about a Month before he could receive his *Inſtructions*, and all thoſe Diſpatches that were Neceſſary, and then he took his Leave of his Majeſty, with profeſſion of going directly to *Cheſter*, but either by Command or Inclination, that Purpoſe was quickly alter'd, and his Lordſhip return'd to *London*, where he was detain'd full two Months longer, and then was commanded expreſly by the Houſes to repair to *Cheſter*, and not to wait on the King in his Way, tho' his Majeſty being then at *Oxford*, he could not avoid performing that Duty, but by avoiding the ordinary Road; when the King heard of his being at *Cheſter*, where he expected the Ships that were to tranſport him above three Weeks, and that there was no other Force in readineſs to be ſent with him, but his own Retinue, thoſe Regiments of Foot and Troops of Horſe which had been rais'd for that Service, having been employ'd againſt his

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Majeſty at *Edge-Hill*, and being ſtill kept as a Part of the Earl of *Eſſex*'s Army, and that there were none of thoſe Proviſions or Money to be now ſent over, which had been importunately deſir'd by the Council of that Kingdom; his Majeſty conſider'd that the Rebels, having been kept in ſome awe, with the Apprehenſion of the Lord Lieutenant's coming over with all ſuch Supplies as were neceſſary to carry on the War, (the Aſſurance whereof had likewiſe kept up the Spirits of the Proteſtants there) if he ſhould now arrive there in ſo private a manner, without any Addition of a Strength, or Proviſion for the Supply of that Strength that was there, it would bring, at the ſame Time, the greateſt Affliction, and diſheartning to his Proteſtant Subjects that could be imagin'd, and an equal Encouragement to the Rebels, and therefore his Majeſty ſent for him to *Oxford*, till he might receive better Satisfaction from the Houſes concerning their Preparations for that Kingdom: So that by whom the Earl of *Leiceſter* was delay'd and detain'd, the World may judge.

THE *King's Refuſal of a Commiſſion for the Lord* Brook *and Lord* Wharton, hath been long ſince Anſwer'd by his *Majeſty*, the Truth of which Anſwer was never yet deny'd, or reply'd to: That *the Forces to be under their Command, were raiſed before his Majeſty's Commiſſion was ſo much as deſir'd: And then the Commiſſion that was deſir'd, ſhould have been inde-*

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pendent upon his Majeſty's Lieutenant of that Kingdom, and therefore his Majeſty had great Reaſon not to conſent to it: And how reaſonably thoſe Perſons were to be truſted with ſuch a Command, may be judged, by their bringing thoſe very Forces which were raiſed for the Relief of the poor Proteſtants of *Ireland*, againſt the Rebels there, to fight againſt the King at *Edge-Hill*, within a very ſhort time after thoſe Commiſſions were deſir'd.

THEY ſay they have long ſince named divers Papiſts and Perſons of Quality, that by the King's ſpecial Warrants after the Ports were ſhut by both Houſes of Parliament, paſſed hence, and headed the Rebels, when they wanted Commanders; examin the Truth of this, which all Men, who will take the Pains, may be Judges of.

HIS *Majeſty* taking Notice of the Effect of this Charge, to be ſpoken by Maſter *Pim* at a Conference with the Lords about the beginning of *February*, 1641. (the Speech being Printed) by his Meſſage of the 7th of that Month to the Houſe of Commons, requir'd to know whether ſuch a Thing had been ſaid, and if ſo, upon what Ground, his *Majeſty* being ſure he had uſed all Caution in the granting of Paſſports into *Ireland*. Exact Collect. P. 69.

The Commons anſwer'd, *That the Speech deliver'd by* Mr. Pim, *was agreeable to the Senſe of the Houſe, and that they had receiv'd divers Advertiſements concerning ſeveral Perſons who had* P. 70.

had obtain'd his Majesty's immediate Warrant for the passing into Ireland, *since the Order of restraint of both Houses; some of which, as they had been informed, since their coming into* Ireland, *had joyn'd with the Rebels, and been Commanders against them, and some others had been staid, and were yet in safe Custody, the Names of whom they set down, being all in Custody,* and said *the particular Names of others they had not yet receiv'd, but doubted not, but upon Examination, they might be discover'd:* But they said, *they believ'd it was by the procurement of some evil Instruments too near his Royal Person, without his Majesty's Knowledge and Intentions.*

p. 71. THE King hereupon reply'd, *That the Persons named to be under Restraint, made not good the Assertion in that Speech;* besides that, *their Passes were granted by his Majesty at his being in* Scotland, *long before the Restraint, and being Persons of whose good Affections there was then no Suspicion;* and *that he was most assured, that no such Person as was comprehended under that Charge had passed by his* Warrant *or Privity:* and then he desir'd his House of Commons to consider, *whether such a general Information and Advertisement (in which there was not so much as the Name of any particular Person mention'd) be ground enough for such a direct and positive Affirmation, as was made in that Speech,* which in respect of the Place and Person, and being acknowledg'd to be agreeable to the Sense of the House, was of that Authority,

rity, that his *Majeſty* might ſuffer in the Affections of many of his good Subjects, and fall under a poſſible Conſtruction (conſidering many ſcandalous Pamphlets to ſuch a Purpoſe) of not being ſenſible enough of that Rebellion, ſo horrid and odious to all Chriſtians, by which, in this Diſtraction, ſuch a Danger might poſſibly enſue to his Majeſty's Perſon and Eſtate, as he was well aſſur'd his Houſe of Commons would uſe their utmoſt Endeavours to prevent; and therefore his Majeſty ſaid, *He expected that they ſhould name thoſe Perſons*, who by his Licenſe had paſſed into *Ireland*, and were there in the Head of the Rebels; or that if upon their Examination, they did not find particular Evidence to prove that Aſperſion (as *his Majeſty* was confident they never could) as that Affirmation which did reflect upon *his Majeſty* was very publick; ſo they would publiſh ſuch a Declaration whereby that Miſtake might be diſcover'd, *his Majeſty* being moſt tender in that Particular, which had reference to *Ireland*, as being moſt aſſur'd, that he had been, and was, from his Soul, reſolv'd to diſcharge his Duty (which God would require at his Hands) for the Relief of his poor Proteſtant Subjects there, and the utter rooting out that Rebellion.

IT was above a Month before the King could receive any other Anſwer from them, and then they ſaid, *That they had affirmed nothing, but what they had Cauſe to believe was true*, and Ex. Col. p. 117.

preſented ſome of their Grounds to *his Majeſty*; one of which was, *That thoſe Licenſes granted to the Perſons under Reſtraint, were apt to produce ſuch an Effect as was mention'd in that poſitive Affirmation*; and another Ground was, *That his Majeſty could not be aſſur'd, that no other did paſs upon his Licence, and they had Cauſe to believe, that ſome did, becauſe they receiv'd ſuch general Information:* Which Reaſons (with ſome others of the ſame Kind) they ſaid, they hoped would be ſufficient to perſuade *his Majeſty* to believe, that as they had ſome Cauſe to give Credit to the ſaid Informations, ſo they had no Intention to make any ill Uſe of them to *his Majeſty's Diſhonour*, but did impute the Blame to his Miniſters.

Pag. 18. THE King reply'd again to that Meſſage, *That there was nothing yet declar'd, that would be a Ground for what Mr.* Pim *had ſo boldly affirmed, for yet there was not any particular Perſon named, that was ſo much as in Rebellion, much leſs in the Head of the Rebels, to whom his Majeſty had given Licenſe, and therefore he expected, that the Houſe of Commons ſhould publiſh ſuch a Declaration, whereby that Miſtake might be clear'd.*

SINCE that Time to the Hour of Publiſhing this Declaration, they have never made the leaſt Addreſs, or given the leaſt Information or Satisfaction to *his Majeſty* in that Particular, which they then ſaid, *they had no Intention to make uſe of to his Diſhonour*; ſo that this laſt Preſumption

Preſumption, could proceed only from a Confidence that the People would believe what they ſaid, not examine the Truth of it.

WHAT they mean *by the Commanders and Officers, whom the King* (they ſay) *called off from their Truſt againſt the Rebels; and Ships from their Guards at Sea, that ſo the Rebels might be ſupply'd with foreign Aids*, is not underſtood, except by the Ships, they mean thoſe under the Command of Captain *Kittleby*, and Captain *Stradling*, who then attended the *Iriſh* Coaſt, when all his *Majeſty's Fleet* was ſeiz'd by the two Houſes, and employ'd againſt him, and whom his Majeſty upon that Occaſion, and Confidence of the Loyalty of the Commanders, required to attend him with their Ships about *Newcaſtle*, or the North of *England*, that he might have two of his own Ships at his diſpoſal, and, at the ſame Time (that any Inconvenience might be prevented by the coming of Supply to the Rebels) his Majeſty gave notice to the two Houſes, of his Command in that Particular, and requir'd them to take care for the guarding of that Coaſt, which they altogether neglected; notwithſtanding that, they found Means likewiſe to ſeize thoſe two Ships, which his Majeſty hoped he ſhould have been poſſeſs'd of.

NOR is it better underſtood what they mean by *Supplies from the Earl of* Antrim *and Lord* Aboyne, *or of Arms and Ammunition from the King's Magazines, or from the Queen*, which

no ſober Man believes, or of which no Evidence or Inſtance hath ſo much as been offer'd. Some few Suits of Clothes, in the beginning of the War, were taken by the King's Soldiers about *Coventry*, when that City was in open Rebellion, which, they pretended, were prepared for *Ireland*, and which his Majeſty did what could be done to cauſe to be reſtor'd, but it was not poſſible, and was apparently their Fault, that would not ſend for a ſafe Conduct, when they were to paſs through his Majeſty's Quarters.

AND how far the King was from conſenting to, or approving that Action, appears by his Majeſty's expreſs Command, (which was executed accordingly) for the tranſporting into *Ireland* of three thouſand Suits of Clothes, which he found provided for that Service at *Cheſter*, after his Majeſty was poſſeſs'd of that City, and which had been neglected to be ſent, and which no Neceſſity of his own Army could prevail with him to ſeize, or divert from that neceſſary Uſe for which they were provided.

Ex. Col. p. 680.

HIS Majeſty never deny'd *any Pieces of Battery deſir'd by the Council of Ireland*, nor is there the leaſt Colour to affirm the ſame; what Directions the Rebels gave in their Letters of Mart, or whether they gave any ſuch Directions as are alledg'd, is no way Material to his Majeſty; and for Officers and Commanders, who left their Truſt againſt the Rebels, it is ſufficiently known, that the Earl of *Leven*, who by

by his Majeſty's Conſent, was ſent General of the *Scots* into *Ireland* againſt the Rebels, was called from thence to lead an Army into *England* againſt his Majeſty; and when the King's Commiſſioners, at the Treaty of *Uxbridge*, alledg'd and complain'd, that many Officers, both *Scots* and *Engliſh* had in the beginning of that War left that Service, and been entertain'd by the two Houſes againſt the King, and all the Anſwer they could receive was, *That they were not ſent for*,

THIS being the Caſe (as without any poſſibility of Contradiction, it is) theſe Gentlemen had no more Reaſon to believe the Rebels, when they did ſo often ſwear they did nothing without good Authority and Commiſſion from the King, than the Rebels had to believe them, when they ſwore on the 22d of *October*, 1642. *That no private Paſſion or Reſpect, no evil Intention to his Majeſty's Perſon, nor Deſign to the prejudice of his juſt Honour and Authority, engaged them to raiſe Forces*, and the next Day gave *His Majeſty* Battle at *Edge-hill:* Nor is it more material, that Sir *Phelim Oneale* would not be perſuaded, that General *Leſly* had any Authority from the King againſt the Rebels, than that theſe Gentlemen ſhould be perſuaded, in the ſame Hour, to believe that an Army ſhould be raiſed for the Safety of the King's Perſon, and to ſwear that they would live and die with the Earl of *Eſſex*, whom they nominated General to lead that Army againſt the King.

Exact. Collect. p. 663.

Exact Collect. p. 457.

WHAT Information was given divers Months before to the *Archbiſhop*, and others of the King's Council, *of a Deſign amongſt the Papiſts for a general Maſſacre of all the Proteſtants in* Ireland *and* England, *&c.* is no Objection againſt the King, and as the Archbiſhop was impriſon'd divers Months before that Rebellion broke out, ſo it is not likely, if they had been able to have charg'd him with any concealment, that they would have forborn accuſing him with it at his Trial, when they ſo much wanted Evidence againſt him, that they were forc'd to make his Chaplains, not licenſing ſuch Books againſt Popery, as they thought did diſcredit the Proteſtant Cauſe, an Argument of his Treaſon; and they would likewiſe now have named the others of the King's Council, if they could have alledged a Matter, that could have reflected upon them or their Maſter.

NEXT follows a huddle of the *King's Letters to the* Pope, when he was in *Spain*, and of others ſince, on the behalf of the Duke of *Lorrain*, and of the King's having an *Agent at Rome* (which it is known he never had) ſome Months before the *Iriſh* Rebellion: All which are ſo obſcurely mention'd, and ſo ridiculous, as to any Charge againſt the King, that they are not worthy any Anſwer; yet becauſe (how impertinently ſoever) by the Licence of theſe Times, much hath been ſcandalouſly diſcours'd of a Letter written by the King, when he was Prince, and in *Spain*, to the Pope, and ſuch a Letter

Tran-

Tranſlated and Printed, out of a Copy publiſhed in the *French Mercury*, it may not be amiſs to ſay ſomewhat of that Buſineſs.

THE Prince being, by the command of his Father, ſent into *Spain*, to conclude a Marriage with the Daughter of that Crown, which had been long treated of, could not be oblig'd, whilſt he was there, to perform all Ceremonies which were requiſite, to the compaſſing the Buſineſs he went about; the Kingdom where he was, had a faſt Friendſhip with *Rome*, and ſuch a Kind of Dependence, that a Diſpenſation from thence was thought Neceſſary by the Wiſdom of the State, to the Marriage in Treaty, towards the procuring whereof, tho' the Prince would not contribute the leaſt Application of his own, yet he was not reaſonably to do any Thing, which might make that Diſpenſation the more difficult to be procured: The Pope that then was, writ a Letter to the Prince, which was deliver'd to his Highneſs, by his Miniſter there reſident: It was a Letter of Reſpect, and in the Interpretation of that State, of great Kindneſs; and it would have been thought a very unreaſonable Neglect, if the Prince had vouchſafed it no Anſwer: On the other Hand, it was eaſier to reſolve, that it was fit to write, than what; in the mean Time, they who were officious that it might be done, prepared the Draught of a Letter, and brought it to him; the which, when his Highneſs had peruſed, with his own Hand he expunged thoſe Clauſes which

might ſeem to reflect upon the Religion which he profeſſed, and having ſo alter'd and mended it, he caus'd it to be ſent to the Pope; Copies of the firſt Draught were ſpread abroad, by which that was inſerted in the *French Mercury*, (which is ſo carefully Tranſlated and Printed, and diſperſed theſe late ill Years) and now is given in Evidence againſt his Majeſty: But admitting it were the ſame, and that the Prince being in a Foreign Kingdom, (with the Policy whereof he was then to comply) had written that very Letter, which is Printed, with what colour of Reaſon can any Man make that an Argument of his Inclination to Popery, who at that Time, and ever ſince hath given the greateſt Teſtimony of his Affection to the Proteſtant Religion, that any Prince or private Perſon hath done? The Authors of this Declaration, would not think it juſt, that from their very loving Letters to the *Baſhaw at Argiers*, and his to them, in which *he thanks God that the Agent of the Parliament of* England *is come thither, to make a Peace and Love betwixt them to the End of the World*, as appears by the Relation of that Buſineſs, *fol.* 15. Publiſh'd by their Authority, and from the Amity with them, to that Degree, that they have given the *Turks* Men of War the freedom of their Harbours, Men ſhould conclude, that they are reſolv'd to turn *Turks*, and yet ſuch a Concluſion will more naturally reſult from thoſe Letters, and that

ſtrict

ſtrict Correſpondence, than of the King's Affection to Popery from that Letter to the Pope.

IT is ſaid, that the ſame Deſign was laid in *England* at the ſame Time, and that many Thouſands were appointed to cut the Proteſtants Throats in this Kingdom alſo, when the King went into *Scotland*, and that it was confeſs'd by ſome of the Principal Rebels, that their Popiſh Committee with the King, had communicated that Deſign with many Papiſts in *England*, by whoſe Advice (though ſome Things were alter'd, yet) it was generally concluded, that about the ſame Time, there ſhould be the like Proceedings of the Papiſts here; all which if true, (as no ſober Man believes it to be) does no Way reflect upon the King; and that Popiſh Committee was ſent more to the two Houſes, than to the King, and were more owned by them, who took ſpecial care for their Accommodation.

BY what is ſaid, it ſufficiently appears, how unjuſt and unreaſonable all the *particular Scandals* are, with Relation to the Buſineſs of *Ireland*, in which his Majeſty (how impudently ſoever he hath been aſperſed) never did any, or omitted the doing any Thing, but according to thoſe Rules, which are moſt juſtifiable before God and Man; it were to be wiſh'd that the two Houſes of Parliament had but as well perform'd their Duty, and Obligations; but it cannot be forgotten, that near the beginning of this Rebellion, when the Houſes pretended wonderful

Difficulty

Difficulty to raiſe Men for that Service, and when a ſeaſonable Supply would utterly have broken and defeated the Rebels, the King ſent a Meſſage to them on the 28th of *December*, 1641. That *his Majeſty being very ſenſible of the great Miſeries and Diſtreſſes of his Subjects in the Kingdom of* Ireland *which daily increaſed, and the Blood which had been already ſpilt, by the Cruelty and Barbarouſneſs of thoſe Rebels, crying out ſo loud; and perceiving how ſlow the Succours deſign'd thither went on, his Majeſty himſelf would take care, that by Commiſſions (which he would grant) ten Thouſand* Engliſh *Voluntiers ſhould be ſpeedily raiſed for that Service, if the Houſe of Commons would declare, that they would pay them:* Which Offer from his Majeſty was rejected, and no conſiderable Supplies ſent till they had compell'd his Majeſty to conſent to ſuch a Bill for Preſſing, as might diveſt and rob him of a Neceſſary and Legal Power inherent in his Crown.

Ex. Col. p. 33.

NOR can it be forgotten, that they reſerved thoſe Men, which were raiſed for *Ireland*, and would not otherwiſe have been engaged in their Service, but on that Pretence, and brought them to fight againſt his Majeſty at *Edge-hill*, and afterwards retain'd them ſtill in their Service: That they employ'd the Money, raiſed by Act of Parliament for the Relief of *Ireland*, and with a particular Caution, that it ſhould be employ'd no other Way than for the Support and Maintenance of that Army led by the Earl of

Eſſex

Eſſex againſt the King, and that from the beginning of the Rebellion in *England*, (tho' they receiv'd vaſt Sums of Money rais'd only for *Ireland*) they never adminiſter'd any conſiderable Supply thither, that they could apply to the advancement of their own Deſigns at Home againſt the King.

THESE Particulars (of which Kind every Man may call to Mind many more) nor their notable Compliance with the *Iriſh* Committee, when they came firſt over, are remember'd, to imply that the two Houſes of Parliament were guilty of raiſing the Rebellion in *Ireland*, otherwiſe than by their Principles, and Proceedings in Diminution of the King's Sovereign Power) or that they cheriſh'd it after it was begun, (otherwiſe than by not wiſely and vigorouſly endeavouring to ſuppreſs it, before it ſpread ſo univerſally) but that which may be juſtly laid to their Charge is, their affecting and graſping the Power of carrying on that War, which ſo great a Body is not fit for; their imprudent and unpolitick declaring an Animoſity againſt the whole Nation, and even a Purpoſe for their utter Extirpation, and diſpoſing their Lands to thoſe, who would be Adventurers for it; which Act and Declaration, it is known, drove many into open Rebellion, who were not before ſuſpected, or, at leaſt, declared to be affected to the Rebels; and, *Laſtly*, Their giving all their Minds up to the kindling that horrid and monſtrous

ſtrous Rebellion here, rather than to the extinguiſhing the other in *Ireland*.

The 16th. Charge. XVI. NEXT ſucceeds the Charge againſt the King, *For the unuſual Preparation of Ammunition and Arms* (upon his Return from *Scotland*) *with new Guards within, and about* White-Hall; *the Fire-works taken and found in Papiſts Houſes, the* Tower *fill'd with new Guards, Granadoes, and all ſorts of Fire-works, Mortars and great Pieces of Battery, the diſplacing Sir* William Balfore, *and placing other Officers, who were ſuſpected by them, and the whole City.*

NOT to ſpeak of the Entertainment they provided for the King againſt his return out of *Scotland*, when inſtead of thanking him for having paſſed ſo many good Acts of Grace and Favour to them, that there was no one Thing more, that the Kingdom could reaſonably ask from him, or requiſite to make them the moſt happy Nation of the World: They preſented him a *Remonſtrance* (as they called it) of the State of the Kingdom, *laying before him* (to uſe his Majeſty's own Words) *and publiſhing to the World all the Miſtakes, and all the Misfortunes which happen'd from his firſt coming to the Crown, and before to that Hour, forgetting the bleſſed Condition all his Subjects had enjoy'd in the Benefit of Peace and Plenty under his Majeſty to the Envy of Chriſtendom:* Not to ſpeak of the Licence then uſed in Language, when upon Debate of ſome pretended breach of Order, one of the

Ex. Col. p. 528.

Principal

Principal Promoters of this Declaration publickly ſaid in the Houſe of Commons, without controul, *That their Diſcipline ought to be ſevere, for the Enemy was in view*, when the King was come within one Day's Journey of the City; his Majeſty found a Band of Soldiers entertain'd to guard the two Houſes of Parliament, which as it had been never known in any Age before, in that Manner, ſo there was not now the leaſt viſible Cauſe for it, but that there had been a Plot in *Scotland* againſt the Perſons of the Marquiſs of *Hamilton* and *Argyle*, and therefore there might be the like upon ſome principal Members here: Upon the King's Return, the Earl of *Eſſex* reſign'd up the Commiſſion, with which he had been intruſted by his Majeſty, during his abſence, to preſerve the Peace of the Kingdom, and thereupon that Guard which was drawn together by vertue of that Authority in that Earl, was diſſolved with it: The King came then to *White-Hall*, and for what paſſed afterward, hear in his own Words, in his Declaration of the 12th of *Auguſt*, *great Multitudes of mutinous People every Day reſorted to* Weſtminſter, *threatned to pull down the Lodgings where divers of the Biſhops lay, aſſaulted ſome in their Coaches, chaſed others with Boats by Water, laid violent Hands on the Archbiſhop of* York, *in his paſſing to the Houſe, and had he not been reſcued by Force, it is probable they had murdered him, crying through the Streets*, Weſtminſter-Hall, *and between the two Houſes*, No Biſhops, Pag. 533.

Biſhops, no Biſhops, no popiſh Lords; *and miſuſed the ſeveral Members of either Houſe, who, they were inform'd, favour'd not their deſperate and ſeditious Ends, proclaiming the Names of ſeveral of the Peers as Evil and Rotten-hearted Lords; and in their return from thence, made ſtand before our Gate at* White-Hall, *ſaid, they would have no more Porter's Lodge, but would ſpeak with the King when they pleas'd; and us'd ſuch deſperate rebellious Diſcourſe, that we had great Reaſon to believe, Our own Perſon, Our Royal Conſort, and our Children to be in evident Danger of Violence, and therefore were compell'd at our great Charge, to entertain a Guard for ſecuring Us from that Danger:* Theſe are his Majeſty's own Words, and contain no more than is known to all Men, and hath never yet been particularly deny'd by themſelves, therefore ſure the King had great Reaſon to provide ſome Guard for himſelf; and what was that Guard? Many Collonels and Officers of Quality attended the Parliament for Money due to them by the *publick Faith* (which to this Day hath not been paid to them) theſe Gentlemen, upon the Offer of their Service to the King in this Exigence, were liſted, and attended at *White-Hall* to defend it againſt the Inſolency of thoſe Tumults: And the little Ammunition and Arms which was brought thither, was for that Purpoſe: That the Houſes within few Days after, raiſed a ſtronger Guard for themſelves, without and againſt the King's Conſent, and with that

and

and other Forces countenanced by that, drove the King from the Town, is as true and notorious to all the World.

WHAT is meant by the *Fire-Works found and taken in Papists Houses*, is not understood, except they intend the Lord *Herbert*'s House, which being at that Time mention'd and examin'd, was in the House of Commons rejected, as an idle Bruit, some of their Principal Members affirming they had been there, and were satisfy'd, that there was nothing in the Practice or Design, but what was very justifiable.

THE *Tower* was so far from being fill'd with new Guards, that there were no new Guards put there, till the Houses took the Boldness to do it; and if the King had made any Addition of Strength to his own Fort, it would have been no more than he might well have done: But that the having Granadoes, and all Sorts of Fire-works, Mortars, and great Pieces of Battery ready prepar'd in the *Tower*, should be objected to the King, is wonderful, since it is the proper Place, where such Utensils for War are to be; and if they had been in any other Place, it might have administer'd some Occasion of Jealousy; there were no more Pieces of Battery prepar'd and mounted against the City, than had been usual and accustom'd.

IT was in the King's just Power to remove any Man from being Lieutenant of the *Tower*, whose Fidelity or Affection he suspected or made question of, yet (what just Reason soever he had

had for either) Sir *William Balfore* was removed with his own Conſent, and upon ſuch a preſent Recompence in Money, as himſelf thought an ample Compenſation: It is true, ſome factious Citizens (who were always ready to be applied to any ſeditious Action) petition'd againſt Sir *John Byron*, who ſucceeded in that Command; and alledg'd that their Jealouſy was ſuch, that they were forced to forbear the bringing in of Bullion to the Mint; when, in Truth, there was not one of thoſe who concurred in that Petition, that ever brought Bullion thither, or uſed that Trade; and to uſe his Majeſty's own Words, it is notorouſly known, *There was more Bullion brought into the Mint, in the Time that Gentleman was Lieutenant, than in the ſame quantity of Time in any Man's Remembrance:* And ſurely it will be a great brand upon that Time, and the City to Poſterity, and an Evidence how far they were from lodging *Engliſh* Hearts in their Breaſts, that they would think themſelves leſs ſecure in Sir *John Byron*, a Perſon of Noble Extraction, generous Education, unblemiſh'd Reputation, and a full Fortune; than of an Indigent Foreigner, who had no other Arts to live by, than thoſe of which they juſtly complain'd, and could not ſerve them, without betraying his Faith to his Maſter, to whom he was particularly ſworn, and engaged by infinite Obligations.

Ex. Col. p. 546.

HITHERTO they have examin'd only the Errors and Overſights, at leaſt the leſs raging Enor-

Enormities of the first sixteen or seventeen Years of his Majesty's Reign, now they are entring into the high Ways, where, they say, *the Track of open Force against the Parliament and Kingdom, did appear more visible.*

XVII. The first Instance is the Charge of *Treason against some of both Houses*; and that *unparallel'd Act of Violence by the King's coming so attended to the House of Commons*, which, they say, was, but *the Prologue to a bloody Tragedy, &c.*. *The 17th. Charge.*

Though the Tale of the Members did at that Time serve their Turn, to work upon the unskilful and undistinguishing Minds of the People, and to apply them to their Service, it was believ'd they would have now blushed to have remember'd it, since as discerning Men were not at that Time, in any Degree, satisfy'd of their Innocence: So all Men by the demeanour of those Members afterwards, have concluded that the King had very good Reason, then, to accuse them, tho' it may be the Act was not so happily deliberated on, as to fore-see those Accidents, which might disturb the Progress of it.

Before any Thing be said of the Matter itself, how far the King was from doing what was not right, it will not be amiss to look back, how far they then imputed this Act to the King, which is now so principal a Part of the Charge against him: After his Majesty had excepted against some Expressions used by them

of his coming to the Houſe of Commons, as if he had intended Violence; in their Petition preſented to him at *Tiballs*, 1ſt of *March*, 1641. They beſought his Majeſty to believe, That *the dangerous and deſperate Deſign upon the Houſe, was not inſerted with any Intention to caſt the leaſt Aſperſion upon his Majeſty, but therein they reflected upon the malignant Party, &c.* ſo that it ſeems the Houſes then were not of the ſame Opinion theſe Men are now of.

Ex. Col. p. 93.

FOR the Matter itſelf, *That any Members of either Houſe may be proſecuted in the ſame Manner, as if they were not Members, in the Caſe of Treaſon, or Felony, is ſo known a Truth, that no Man* (who pretends to know the Laws of the Kingdom, or Preſidents of Parliament) *ever thought the contrary*, or heard the contrary ſaid, till ſince the Caſe of theſe Members; and the ſame hath been always acknowledg'd in all Parliaments, and may be ſaid to be acknowledg'd by this, ſince the Lord Chief Juſtice *Coke* ſets it down as a *Maxim*, in his Chapter of the *High Court of Parliament*, which was printed by the ſpecial Order of the Houſe of Commons, ſince this Parliament began.

4 *Part Inſtit. fol.* 25.

THAT the King had Reaſon to accuſe theſe Members of High Treaſon, can be as little doubted, ſince he could make *particular Proof againſt them of a ſolemn Combination enter'd into by them for altering the Government of the Church and State; of their ſolliciting and drawing down the Tumults to* Weſtminſter;

Ex. Col. p. 534, & 535.

and

and of their bidding the People, in the height of their Rage and Fury, to go to White-hall; *of their ſcornful and odious Mention of his Majeſty's Perſon, and their Deſign of getting the Prince into their Hands; and of their treating with Foreign Power to aſſiſt them, if they ſhould fail in their Enterprizes: And why the King's Attorney, upon theſe Reaſons, might not as lawfully accuſe thoſe Members of High Treaſon, as the Attorney General, in the firſt Year of this King's Reign, did accuſe the Earl of* Briſtol *upon a Charge more general, who was thereupon committed to the* Tower; *and why his Majeſty might not as well have expected, that upon his Articles (not ſo general as a meer verbal Accuſation) of High Treaſon, either Houſe would have committed their ſeveral Members, as they had done ſo many this Parliament; and about that Time, twelve Biſhops together (upon a confeſſed Ground, which every Man there, who knew what Treaſon was, knew that Fact to be none) meerly becauſe they were accuſed, his Majeſty (upon Occaſion of mentioning this Paſſage) ſays, He could neither then, nor yet can underſtand.*

THIS being the Caſe, there remains nothing but his Majeſty's own going to the Houſe of Commons, for which, hear his own Words in his Anſwer to the Declaration of the 19th of *May*, where that Matter was loudly laid to his Charge: *When we reſolved, that it was fit for our own Safety and Honour, and the Peace of the Kingdom, to proceed againſt thoſe* Ex. Col. pag. 245.

Perſons, though we well know there was no Degree of Privilege in that Caſe, yet (to ſhew our Deſire of Correſpondence with the two Houſes of Parliament) we choſe rather than to apprehend thoſe Perſons by the ordinary Miniſters of Juſtice (which according to the Opinion and Practice of former Times we might have done) to command our Attorney General to acquaint our Houſe of Peers with our Intention, and the general Matters of our Charge, (which was yet more particular than a meer Accuſation) and to proceed accordingly; and at the ſame Time ſent a ſworn Servant, a Serjeant at Arms to our Houſe of Commons to acquaint them, that we did accuſe, and intend to proſecute the five Members of that Houſe for High Treaſon; and did require that their Perſons might be ſecured in Cuſtody: This we did, not only to ſhew that we intended not to violate or invade their Privileges, but uſe more Ceremony towards them, than we conceiv'd, in Juſtice, might be requir'd of us, and expected at leaſt ſuch an Anſwer, as might inform us, if we were out of the Way: But we receiv'd none at all, only in the Inſtant, without offering any Thing of their Privileges to our Conſideration, an Order was made, and the ſame Night publiſh'd in Print, That if any Perſon whatſoever ſhould offer to Arreſt the Perſon of any Member of that Houſe, without firſt acquainting that Houſe therewith, and receiving further Order of the Houſe, That it ſhould be lawful for ſuch Members, or any Perſon

Perſon to aſſiſt them, and to ſtand upon his or their Guard of Defence, and to make Reſiſtance according to the Proteſtation taken to defend the Priviledges of Parliament; and this was the firſt Time we heard the Proteſtation might be wreſted to ſuch a Senſe, or that in any Caſe (tho' of the moſt undoubted and unqueſtionable Priviledge) it might be lawful for any Perſon to reſiſt and and to uſe Violence againſt a publick Miniſter of Juſtice, armed with lawful Authority: Though we well know that even ſuch a Miniſter might be puniſhed for executing ſuch Authority: Upon viewing this Order, we muſt confeſs we were ſomewhat amazed, having neither ſeen nor heard of the like before, though we had known Members of either Houſe committed, without ſo much Formality as we had uſed, and upon Crimes of a far inferiour Nature to thoſe we had ſuggeſted: And having no Courſe propoſed to us for our proceeding, we were upon the Matter only told that againſt thoſe Perſons, we were not to proceed at all, that they were above our Reach of the Law: It was not eaſy for us to reſolve what to do; if we imployed our Miniſters of Juſtice in the uſual Way for their Apprehenſion (who without doubt would not have refuſed to have executed our lawful Commands) we ſaw what Reſiſtance and Oppoſition was like to be made, which very probable might coſt ſome Blood; if we ſat ſtill, and deſiſted upon this Terrour, we ſhould at the beſt have confeſſed our own want of Power, and the Weakneſs of the Law; in this ſtrait we put on a ſudden Reſolu-

tion to try whether our own Preſence and clear Diſcovery of our Intentions (which haply might not have been ſo well underſtood) could remove thoſe Doubts, and prevent thoſe Inconveniences which ſeemed to be threatned: And thereupon we reſolved to go in our own Perſon to our Houſe of Commons, which we diſcovered not till the Minute of our going, when we ſent out, that our Servants and ſuch Gentlemen as were then in our Court, ſhould attend us to Weſtminſter, *but giving them expreſs Command, that no Accidents or Provocation ſhould draw them to any ſuch Action as might imply a purpoſe of Force in us, and our ſelf (requiring thoſe of our Train not to come within the Door) went into the Houſe of Commons, the bare doing of which, we did not conceive would have been thought more a Breach of of Priviledge, than if we had then gone to the Houſe of Peers, and ſent for them to come to us, which is the uſual Cuſtom.*

THIS was his Majeſty's Anſwer formerly to this Charge, which is therefore here inſerted at large, as being ſo full that nothing need be added; and it appeared by the Depoſitions of *Barnard Aſhly*, and others taken by them, that the King gave his Train expreſs and poſitive Charge, that *they ſhould give no Offence or ill Word to any Body, what Provocation ſoever they met with*; which Depoſitions were carefully ſuppreſſed, and concealed, whilſt they made Uſe of the Teſtimony of Indigent and Infamous Fellows, to reproach his Majeſty, from ſome

ſome light and unadviſed Diſcourſe, which was pretended to be uttered by ſome young Gentlemen, who had put themſelves into the Train.

To conclude, it is to be obſerved, that tho' it were ſo high a Tranſgreſſion in the King, (againſt whom Treaſon can only be committed) to prefer ſuch a Charge againſt five Members of the Houſe of Commons, who were called together by his Writ, and accountable to him for any Breach of Duty, that it did abſolve them from their Allegiance, yet the preferring the like Charge ſince againſt *eleven Members* by the Army, raiſed and maintained by them and to which they were not accountable for any Thing they did, hath been held no Crime; and it may be no ill Exerciſe for thoſe Gentlemen, who with ſuch high Contempt of that Sovereign Power, to which they owed their Allegiance, took Delight to deſpiſe and reſiſt his *Majeſty*'s juſt Authority, now in their Affliction, Reſtraint, and Baniſhment to conſider the Hand of God upon them, which hath compelled them to ſubmit to Mercenary Power raiſed by themſelves to ſuppreſs their King; that though they broke through the Kings Article, for endeavouring to ſubvert the Fundamental Laws and Government of this Kingdom, and to deprive the King of his Legal Power, and to place on Subjects an Arbitrary and Tyrannical Power: Yet they could not break through the Charge of the Army for invading, infringing, or endeavouring to over-throw the Rights

1ſt Article againſt the 11 Members.

1ſt Article againſt the 5 Members.

and Libertys of the Subjects of this Nation, in Arbitrary, Violent, and Oppreſſing Ways, and for endeavouring by indirect and corrupt Practices to delay and obſtruct Juſtice, to the great Damage and Prejudice of divers of the Poor Commoners of *England*.

2d *Article againſt the 5 Members.*

THOUGH they were too mighty to be touched upon the King's Accuſation of having endeavoured by many foul Aſperſions upon his *Majeſty*, and his Government, to alienate the Affections of his People, and to make his *Majeſty* odious to them; yet they were not able to bear the Burthen of an Accuſation of having endeavoured by falſe Informations, Miſ-repreſentations, and ſcandalous Suggeſtions againſt the Army, to beget Miſ-underſtandings, Prejudices, or Jealouſies in the Parliament againſt the Army, and to put Inſufferable Injuries, Abuſes, and Provocations upon the Army, whereby to provoke and put the Army into Diſ-temper.

2d *Article againſt the 11 Members.*

4th *Article againſt the 5 Members.*

THOUGH they ſlighted the King's Charge of having trayterouſly invited and incouraged a Foreign Power to invade *His Majeſty's* Kingdom of *England*, yet they cannot throw off the Charge from the Army, of having invited the *Scots*, and other Foreign Forces to come into this Kingdom in a Hoſtile Manner, to abet and aſſiſt them in the Proſecution and Effecting their Deſigns.

4th *Article againſt the 11 Members.*

LASTLY, they may with their Eyes, Hands, and Hearts lift up to Heaven, Remember

member how they contemned and deſpiſed the King, when he charged them, that they had endeavoured (as far as in them lay) by Force and Terrour to compel the Parliament to joyn with them in their Trayterous Deſigns, and to that end had actualy raiſed, and countenanced Tumults againſt the King and Parliament; and now their own Army whereof very many then aſſiſted them in thoſe Tumults to drive away the King, and the Members of both Houſes, accuſes them of having invited, incouraged, abetted, or countenanced divers Reformadoes and other Officers and Souldiers, tumultuouſly and violently to gather together at *Weſtminſter* to affright and aſſault the Members of Parliament, in paſſing to and from the Houſe; to offer violence to the Houſe it ſelf; and by ſuch Violence, Outrages, and Threats, to awe and inforce the Parliament.

6th *Article againſt the* 5 *Members.*

5th *Article againſt the* 11 *Members.*

As the Charge allowed, and countenanced now from their own Army, is upon the Matter the ſame, which was with ſo much Noiſe and Inſolence rejected, when it was preſented from the King, and is now objected againſt him as a heinous Crime; ſo with Reference to their Priviledges (which, like the *Logicians Line*, is *diviſibilis in ſemper diviſibilia*, and ſerves their Turn, to enable them to ask any Thing from the King they think fit to demand, and to refuſe any Thing to him he requires from them) the Progreſs and Proceedings thereupon, hath been very different; inſtead of ſuſpending and

diſ-

discountenancing them upon the King's Accusation, they are brought in Triumph with an Army to the House; the Army upon the bare exhibiting their General Articles, require that the Persons impeached, may be forthwith suspended from sitting in the House, and will receive no Denial, it must be consented to, for they will not indure that the Persons impeached by them shall continue in Power and Capacity to obstruct due Proceedings against themselves; and for their own Escape from Justice to threaten Ruin to the whole Nation, as by the Letter from the Army of the 21 of *June*, appears.

Decl. and Papers of the Army, p. 52.

THE King was check'd upon the Matter of Priviledge, and then imperiously required to send the Evidence, which he had against those he had accused, to the House, where they principally governed, and could easily judge what was secure for themselves; his Majesty desired, *that before his Proofs were discovered against them, and least a new mistake should breed more delaies, it might be resolved whether his* Majesty *were bound in Respect of Priviledges to proceed against them by Impeachment in Parliament, or whether he were at Liberty to prefer an Indictment against them at Common Law, in the usual way, or had his Choice*; to which they would give no Answer, than that *they desired him to give Directions, that the Parliament might be informed before* Friday *next, what Proof there was against them, that accordingly they might be called to a Legal Tryal, it being the undoubted Right*

Ex. Col. p. 52.

and

and Priviledge of Parliament, that no Member of Parliament can be proceeded againſt without the Conſent of Parliament.

THE Army tells them plainly by their Letter of the 25*th* of *June*, *That they wiſhed the Name of Priviledges may not lye in Ballance with the Safety of a Kingdom, and the Reality of doing Juſtice; which (as they had ſaid too often) they could not expect whilſt the Perſons they had accuſed, were the Kingdoms and their Judges.* And in the Remonſtrance of the Army of the 23*d* of *June*, *that no Priviledges ought to protect wicked Men in doing wrong to Particulars, or miſchief to the Publick; and that whoever moſt adores or tenders thoſe Priviledges, will beſt expreſs his Zeal towards them, in taking Care they be not abaſed or extended to Private wrong and Publick miſchief*, for they ſay, *they clearly find, and all wiſe Men may ſee it, that Parliament Priviledges as well as Royal Prerogative, may be perverted and abuſed, to the Deſtruction of thoſe greater Ends, for whoſe Protection and Preſervation they were admitted, or intended* (viz.) *the Rights and Libertys of the People, and Safety of the whole; and in Caſe they be ſo, the Abuſe, Evil, or Danger of them is no leſs to be contended againſt, and a Remedy thereof no leſs to be endeavoured, than of the other:* And upon theſe Grounds they conclude, that *they ſhall be inforced to take ſuch Courſes extraordinary, as God ſhall enable and direct them to, unleſs by* Thurſday *night next they receive Aſſurance and Security*

Decl. and Papers of the Army, P. 67.

Security to themſelves and the Kingdom, for a more Safe and hopeful Proceeding in an ordinary Way, by having thoſe Things granted, which before they inſiſted on.

THESE have been the Proceedings of late in the Point of accuſing Members, and in the Caſe of Priviledge, all which are ſo far juſtified by the Houſes, *that the Army hath received publick Thanks and Approbation for all that they have done*; and their Accuſations have been received, countenanced, and promoted, and their deſires granted againſt the Perſons they accuſed, ſo that as the King did nothing in the Accuſation of thoſe Members, but what was juſtifiable by the Law, and former Preſidents of Parliament, ſo whatſoever he did is ſince juſtied by the latter Preſidents, which themſelves have conſented to, and approved; and ſo we return to the Place from whence this Conſideration carried us.

THERE is a mention of the Lord *Digby*'s appearing in a War-like Manner, and afterwards his going beyond the Seas, and from thence giving Advice to the King to retire to ſome ſtrong Place, *&c.* which are all ſo well known, have been ſo often anſwered, and have ſo little Reference to the King, that Time is not to be waſted to reply to them.

The Eighteenth Charge.

XVIII. THE next Charge is, *the Commiſſions granted to the Earl of* Newcaſtle, *and Colonel* Legg, *for attempting* Newcaſtle *and* Hull, *which*

which (they ſay) *occaſioned them to provide for their Security*; to which their Intelligence of *Foreign Forces from* Denmark *contributed*; and then they take great Pains to make that Jealouſy of *Denmark* reaſonable, and fit to ſink into them.

THE Commiſſions granted by the King to the Earl of *Newcaſtle*, and Colonel *Legg*, were no other than by Law he might grant; neither did he grant any ſuch, before he was aſſured the leading Members in the Houſe of Commons had it in their purpoſe to procure an Order for the ſeizing that Town, and after they had cauſed a Power to be placed about the *Tower* of *London* both by Land and Water under the Command of their new Officer *Skippon*, who was required not to ſuffer any Proviſions to be brought in thither by what Authority or Warrant ſoever.

IF there had been any Expectation, or Apprehenſion of foreign Forces to be brought from *Denmark*, that could be no Warrant for them to ſeize on *Hull*, without and againſt the King's leave, whoſe peculiar Juriſdiction and Right it is to provide againſt foreign Invaſions; but as that Diſcourſe of Forces from *Denmark*, was then looked upon as moſt ridiculous by all Men of Senſe, ſo Experience hath ſince made it apparent, that there was not the leaſt Colour for it: And the Arrival of that Veſſel with Ammunition and Arms (for there came no Commanders in her) near *Hull*, was near

ſix

ſix Months after the Houſes had put a Garriſon into *Hull*, and near three Months after Sir *John Hotham* had ſhut the Gates of it againſt his *Majeſty*; and if it had not been for that rebellious Act, that Ammunition and Arms had not been ſent.

THE Invaſion of the King of *Denmark*'s Dominions by the *Sweeds* was above two Years after the ſeizing of *Hull*, therefore that could not be any Interruption to that Deſign, if it had been intended; but that a frivolous Report of a Diſcourſe between a Servant of the Lord *Digby*'s, (that was never named) with a Mariner, whom he had never ſeen before, to conduct a *Fleet* into *England* from *Denmark*; or an intercepted Letter from the *Hague* to Secretary *Nicholas*, which is pretended to be written the *26th* of *November*, after the Battle of *Edge-Hill*; and in which is mention of Arms for ten thouſand Foot, and for fifteen hundred Horſe ſhould be thought of Moment to juſtify a rebellious Jealouſy of the King's Purpoſe of countenancing an Invaſion of his own Kingdom, is below the Folly and Sottiſhneſs of any, to whom Satisfaction ought to be applyed.

THE imploying of Colonel *Cockram* to the King of *Denmark*, was after the Rebellion was begun, and when the Earl of *Eſſex* was marching with his Army againſt his *Majeſty*, and the principal Inſtruction given to him, was to preſs that King to aſſiſt his *Majeſty* with Money,

Money, Arms, and Ammunition, (the two Houſes having ſeiz'd all which belong'd to his Majeſty) and that the ſame might be ſent by ſome Ships of that Crown, becauſe all the King's own were taken from him, and lay in wait to intercept any Proviſion that ſhould be ſent to his Majeſty; and it is no wonder if the King endeavour'd, by his Inſtructions to his Agent, to make his Uncle of *Denmark* as ſenſible as he could of the Injuries and Indignities offer'd to his Majeſty; nor was that very Clauſe (with which theſe wicked Men ſo inſolently and rudely reproach his Majeſty) without good Grounds, it being known, that they ordinarily whiſper'd many Things then in their private Cabals, which they durſt not publickly avow; of which Nature were their Diſcourſes of the Death of King *James*, which they are now grown up to the Wickedneſs to Publiſh, and the other which was mention'd in that Inſtruction.

THEY ſay, *they repeat this rather, becauſe when they declar'd their Intelligence, that* Cockram *was ſent into* Denmark *to procure Forces thence*, the King diſavow'd it, calling it *a vile Scandal*, in his Anſwer to their Declaration of the 22d of *October* 1642.

THEIR Charge upon the King in that Declaration of the 22d of *October* was, *That Sir* John Henderſon *and Collonel* Cockram *(Men of ill Report both for Religion and Honeſty) were ſent to* Hamborough *and* Denmark, *as they were credibly inform'd, to raiſe Forces there, and to*

Ex. Col. p. 670. *to bring them to* Newcaſtle, *and to join with the Earl of* Newcaſtle, *&c.* To this the King made Anſwer, *That he had never greater Cauſe to be confident of Security in his own Subjects, and therefore he could not believe ſo vile a Scandal could make any Impreſſion in ſober Men:* And it is known he did deſire no other Aid or Supply at that Time from *Denmark*, or from any of his Allies, but Money, Arms and Ammunition; but if he had not been Confident in the Security of his own Subjects, he would have been juſtly to be blam'd, if he had not endeavour'd to get any Foreign Succours to preſerve himſelf, his Crown, and the Kingdom from being over-run and ſubdu'd by the Power and Strength of his rebellious Subjects.

In the ſame Inſtructions to *Cockram*, they ſay, *the King declared, that he then expected Aſſiſtance from his neighbouring Princes and Allies, in particular the greateſt Part of the States Fleet from* Holland: Which, if it were truly ſet forth, needs no Anſwer, it being very reaſonable that the King ſhould have expected, that all his Neighbour Princes and Allies ſhould have aſſiſted him againſt ſo odious and horrid a Rebellion; and it may be many of them may live to find the Inconveniency of not being ſenſible of the Aſſault, which hath been made upon Sovereignty, eſpecially, if inſtead of aſſiſting the King, they have contributed towards the oppreſſing the Regal Power; but theſe Men are ſuch Enemies to Ingenuity, that in the

the very repeating what hath been ſaid or done by the King, they will leave out any Words that will make the Senſe otherwiſe underſtood, than fits their Purpoſe, tho' any Man that will take the Pains to examin it, will quickly find the Truth; ſo they who will peruſe theſe Inſtructions (by what Means ſoever they came by them) publiſhed by themſelves, will find that the King mention'd the *Holland Fleet* only, *as allowed by the States to give her Majeſty a Convoy into* England, which theſe Men would have underſtood, as lent to aſſiſt the King againſt his rebellious Subjects; whereas it is too well known, that at that Time the two Houſes found more Reſpect and Aſſiſtance from thoſe States, than his Majeſty did; and what his Majeſty then ſaid of his Neighbouring Princes and Allies (which they would perſuade the People to relate to ſome preſent Engagement from them to ſend Forces to him) being only grounded upon his reaſonable Hope of the Senſe thoſe Princes would have of the Indignities offer'd to his Majeſty, his Words being, *He expects and hopes that all his Neighbour Princes and Allies, will not look upon ſo dangerous a Precedent to their own Crowns and Monarchies, without contributing to ſuppreſs this ſo pernicious a Deſign begun in this Kingdom:* God forgive thoſe Princes who ſuffer'd his Majeſty to be deceiv'd in ſo Juſt and Princely an Expectation.

King's Cabinet, p. 41.

Exact Collect. p. 635.

IT is here likewiſe to be remember'd, that the two Houſes had diſpatch'd their Agent *Strickland*, to the *States* of the united Provinces, to invite them to their Amity and Aſſiſtance, and to decline their League with his Majeſty, before Colonel *Cockram* was ſent for from *Denmark*, their Declaration to thoſe Provinces bearing Date the 8th of *October*, which was before the Time that *Cockram* went towards *Denmark*.

The 19th Charge.

XIX. THE *Queen's* going into *Holland*, is next objected to the *King*, and *that, contrary to his Truſt, he ſent the antient Jewels of the Crown of* England, *to be pawn'd or ſold for Ammunition and Arms, of which*, they ſay, *they had certain Knowledge before they took up Arms; and that they had not ſo much as once ask'd the Militia, till the Queen was going for* Holland; *and that her going beyond Sea was ſtay'd, many Months before her going into* Holland, *by their Motions to the King, becauſe (amongſt other Reaſons) they had heard, that ſhe had pack'd up the Crown Jewels, by which they might ſee what was then intended by that Journey, had not they prevented it till the Winter.*

When they firſt took up Arms againſt the King.

THEY are very unwilling to agree upon the *Time when they firſt took up Arms*, and would have their *ſeizing upon the King's Forts, poſſeſſing themſelves of the Militia of the Kingdom, of the Royal Navy*, to be thought only an Exerciſe of their Sovereign Power, and no taking

king up of Arms; but tho' they could perſuade the World that the countenancing and bringing down the Tumults, by which they firſt drove away many Members from the Houſes, and then the King himſelf from *White-Hall*, was not taking up Arms, becauſe there was no avow'd Act of both Houſes to bring down thoſe Tumults; yet ſure they cannot deny their *marching out of the City with all the Train-Bands of* London, *in a hoſtile Manner to* Weſtminſter, where both Houſes gave the Chief Officers Thanks, approved what they had done, undertook to ſave them harmleſs, and appointed a new Officer of their own to Command thoſe Train-bands, which was on the Eleventh of *January*, 1641, to be taking up Arms.

WHEN they appointed the next Day their own new Officer *Skippon* to beſiege the *Tower of London*, with the City Forces, by Land and Water, and not ſuffer any Proviſion to be carried thither, when the King's Lieutenant was in it, and declar'd, *That whoſoever ſhould trouble him for ſo doing, was an Enemy to the Common-wealth*, which was accordingly executed by him; they muſt confeſs, undoubtedly, that they took up Arms; and both theſe high Actions (which by the expreſs Statute of the 25th Year of King *Edw.* III. are High Treaſon) were before any one *Jewel* belonging to the Crown or the King, was carried out of the Kingdom.

FOR the Time of asking the *Militia*, tho' no Circumſtance of Time could make it juſtifiable (not to ſpeak of the Bill preferr'd to that Purpoſe many Months before) the Houſe of Commons by their Petition of the 20th of *January*, after the Houſe of Peers had refuſed to concur with them in ſo diſloyal a Suit, *deſir'd his Majeſty to put the Tower of* London *and the Principal Forts of the Kingdom, and the whole* Militia, *into ſuch Hands as they thought fit*; and the *Queen* went not into *Holland* till the 23d of *February*, neither was her Journey reſolved on till the Beginning of that Month; ſo that their Aſſertion of not having ſo much as asked the *Militia* till the Queen was going into *Holland* is utterly untrue, and when they were made acquainted of ſuch her Majeſty's Purpoſe, they never in the leaſt Degree diſſuaded it.

BUT what was the *Queen's* going into *Holland*, and the *King's* ſending with her the *Jewels* of the Crown, to their taking Arms? The *Queen* might very well go to any Place the *King* thought fit ſhe ſhould go, and the Princeſs *Mary* being at that Time to go into *Holland* to her Husband, his Majeſty thought it fit that the Queen's Majeſty ſhould accompany her Daughter thither: And for the Jewels of the Crown (tho' moſt of the Jewels carried over by the Queen, were her own proper Goods) let them ſhew any Law, that the King may not diſpoſe of thoſe Jewels for the Safety of

his

his Life, and to buy Arms and Ammunition to defend himſelf againſt Rebels, who had ſeiz-ed all his Revenue, and have left him Nothing to live upon, but thoſe Jewels, which he had only in his Power to convey out of theirs, or to leave them to be ſeiz'd on and ſold by them, who apply'd all that he had elſe, and his own Revenue, to haſten his Deſtruction.

In their Mention of the Queen's former Purpoſe of going beyond Seas, ſtay'd (as they ſay) upon their Motion, becauſe they had then heard, ſhe had pack'd up the Crown Jewels and Plate, they uſe their old and accuſtom'd Licence.

If they will examine their own Journal, they will not find amongſt all thoſe Reaſons, which were carried up by Maſter *Pim* to the Lords at a Conference on the 14th of *July*, and the next Day preſented to the King to diſſuade her Majeſty's Journey, the leaſt mention, of her having pack'd up the Crown Jewels and Plate, but *that they had receiv'd Information of a great Quantity of Treaſure in Jewels, Plate and ready Money, pack'd up to be convey'd away with the Queen; and that divers Papiſts and others, under Pretence of her Majeſty's Goods, were like to convey great Sums of Money and other Treaſure beyond the Seas, which would not only impoveriſh the State, but might be employ'd to the fomenting ſome miſchievous Attempts to the Trouble of the publick Peace:* And they might remember that the

Chief Reaſons they gave to diſſuade her Majeſty, was, their Profeſſion and Declaration,

5 Reaſon. *ſince they heard that the Chief Cauſe of her Majeſty's Sickneſs proceeded from Diſcontent of her Mind, that if any Thing which in the power of Parliament might give her Majeſty Contentment, they were ſo tender of her Health, both in due reſpect to his moſt excellent Majeſty and herſelf, that they would be ready to further her Satisfaction in all Things; and that it would*

6 Reaſon. *be ſome Diſhonour to this Nation, if her Majeſty ſhould at this unſeaſonable Time, go out of the Kingdom, upon any Grief or Diſcontent receiv'd here; and therefore they would labour by all good Means to take away and prevent all juſt Occaſions of her Majeſty's Trouble in ſuch Manner as might further her Content, and therein her Health, which would be a very great Comfort and Joy to themſelves, and the reſt of his Majeſty's loving Subjects.*

THESE Obligations they ſhould have remembred, and left the World to remember how punctual they were in the Performance: The Diſcourſe at *Burrough-Bridge*, that the *King would pawn his Jewels for the Army*, is as material, as any other Part of the Diſcourſe there, being ſaid only by Captain *Chudleigh*, who, it ſeems, believ'd it not, by his engaging himſelf to the Parliament from that Time, (as the better Pay-maſters) and was highly valu'd by them.

Ex. Col. p. 220.

XX. IT

XX. It ſeems they take it as granted, that their frivolous and malitious Allegations will ſerve their turn inſtead of Proofs, and therefore they take the Boldneſs to tax his Majeſty *with breach of Honour and Faith*, and to reproach him *for calling God to witneſs*, and making ſo *many ſolemn Proteſtations againſt any Thought of bringing up the Northern Army, or of levying Forces to wage War with his Parliament, or of bringing in foreign Forces or Aids from beyond the Sea, which* (they ſay) *himſelf ſaid would not only bury the Kingdom in ſudden Deſtruction and Ruin; but his own Name and Poſterity in perpetual Scorn and Infamy.* *The Twentieth Charge.*

If theſe Gentlemen would deal faithfully with the World, and confeſs what troubles them moſt, they would acknowledge that their Grief is, that the King is ſo punctual and ſevere in keeping his Word, and Proteſtations; not that he is apt to fall from them. If he would have practiced their Arts of diſſembling, and deſcended to their vile Licence of Promiſing and Proteſting, what he never meant to think of after, he might have prevented them in many of their Succeſſes; but the Greatneſs of his Mind always diſdained even to proſper or be ſecure by any Deviations from Truth and Honour; and what he hath promiſed he hath been religious in obſerving, though to his own Damage and Inconvenience; he hath made no Proteſtation about bringing up the *Northern* Army, or

levying Forces againſt the Parliament, or for the Rights of the Subject, which was not exactly true and agreable to the Princely Thoughts and Reſolutions of his Heart.

THE Occaſion of his Majeſty's uſing that Expreſſion concerning *foreign Force*, (which is here remembred by them) was this: In the Declaration delivered to his Majeſty from the two Houſes at *Newmarket* on the *9th* of *March*, 1641, they told him, *that by the manifold Advertiſements which they had from* Rome, Venice, Paris, *and other Parts, they expected that his Majeſty hath ſtill ſome great Deſign in Hand, and that the Pope's* Nuntio *had ſolicited the Kings of* France *and* Spain *to lend his Majeſty four thouſand Men a piece to help to maintain his Royalty againſt the Parliament, were ſome of the Grounds of their Fears and Jealouſies*; to which his Majeſty made Anſwer in theſe Words, *What your Advertiſements are from* Rome, Venice, Paris, *and other parts, or what the Pope's* Nuntio *ſolicited the Kings of* France *or* Spain *to do, or from what Perſons ſuch Informations come to you, or how the Credit and Reputation of ſuch Perſons have been ſifted and examined, we know not, but are confident no ſober honeſt Man in our Kingdoms can believe that we are ſo deſperate, or ſenſleſs to entertain ſuch Deſigns as would not only bury this our Kingdom in ſudden Deſtruction and Ruin, but our Name and Poſterity in perpetual Scorn and Infamy.*

Ex. Col. p. 100.

Pag. 108.

THAT

THAT this Anſwer was moſt prudently and juſtly applyed to that extravagant and ſenſleſs Suggeſtion cannot be doubted, but becauſe the King at that Time before the War, or a declared purpoſe in them to raiſe a War againſt him, held it an odious and infamous Thing to think of bringing in foreign Forces upon his own Kingdom, that he might not therefore think it afterwards neceſſary, and find it juſt to call in foreign Succours to defend him from a Rebellion, that beſides mixtures of all Nations was aſſiſted by an entire foreign Army to oppreſs him and his Poſterity; no reaſonable Man can ſuggeſt or ſuppoſe; and yet how far he hath been from entertaining any ſuch Aid, the Event declares, which, it may be, many wiſe Men reckon amongſt his greateſt Errors and Overſights; and which no Queſtion (if he had not been full of as much Tenderneſs and Compaſſion towards his People, as theſe Men want) he would have found no Difficulty to have practiſed.

THEY proceed to improve this groundleſs and unreaſonable Scandal by another Inſtance, *that when his Majeſty himſelf, and the Lords made a Proteſtation at* York *againſt levying Forces, he commanded his Subjects by Proclamation to reſiſt the Orders of the Parliament, and did many other Facts contrary to that Proteſtation*, the Particulars whereof are mentioned, and ſhall be examined and anſwered.

THE Act which they call a Proteſtation by the King and the Lords at *York* paſſed on th 15*th* Day

Day of *June*, 1642, being six and twenty Days after both Houses had declared *that the King intended to levy War against the Parliament*, and thereupon published their Propositions for bringing in Money or Plate for the raising and maintaining an Army: The King conceiving so positive and monstrous an Averment might make some Impression upon, and gain Credit with his People, called the Peers together who attended him, and taking Notice of that wicked Declaration, declared to them, *That he always had, and then did abhor all such Designs, and desired them to declare whether being upon the Place they saw any Colour of Preparations or Counsels that might reasonably beget a Belief of any such Design, and whether they were not fully persuaded that his Majesty had no such Intention*; whereupon seven and thirty Peers, who then attended his Majesty (being double the Number that at that Time or since remained in the House of Peers at *Westminster*) unanimously declared under their Hands (which was published to the Kingdom) that they saw not *any Colour of Preparations or Counsels that might reasonably beget the Belief of any such Design, and did profess before God, and testifie to all the World, that they were fully persuaded that his Majesty had no such Intention, but that all his Endeavours did tend to the firm and constant Settlement of the true Protestant Religion, the just Priviledges of Parliament, the Liberty of the Subject, the Law, Peace,*

Ex. Col. p. 357.

Peace, and Prosperity of the Kingdom; notwithstanding which clear Evidence they made what Haste they could to raise an Army, and to engage the People against their Sovereign Lord the King.

THAT his Majesty intended not by that Profession on his Part, nor the Lords thought themselves obliged on their Parts to give any Countenance to, or not to resist the Orders which then issued out every day from those at *Westminster*, who called themselves *the two Houses* needs no other Evidence than his Majesty's Declaration published two Days before (*13th* of of *June*) in which among other Particulars, he declared to the Peers, *That he would not (as was falsly pretended) engage them, or any of them in any War against the Parliament, except it were for his own necessary Defence and Safety against such as should insolently invade or attempt against his Majesty, or such as should adhere to him*: And that very Day the very same Peers (whereof the Earl of *Salisbury* was one) engaged themselves to the King under their Hands, *That they would defend his Majesty's Person, Crown and Dignity, together with his Majesty's just and legal Prerogative against all Persons and Power whatsoever, and that they would not obey any Rule, Order, or Ordinance whatsoever concerning any Militia, that had not the Royal Assent.* Ex. Col. p. 349.

THE first *Commission of Array* issued out some Days before this Profession and Protestation

teſtation made by his Majeſty, and therefore cannnot be ſaid to be againſt it; and above three Months after the paſſing the illegal and extravagant *Ordinance for the Militia*, and after that Ordinance was executed in many Parts of the Kingdom, notwithſtanding his Majeſty's Proclamation of the Illegality and Treaſon of it, when he had deſired them to *produce or mention, one Ordinance from the firſt beginning of Parliaments to this very Parliament, which endeavoured to impoſe any Thing upon the Subject without the King's Conſent*; of which to this Day they never gave or can give one Inſtance. The Commiſſion it ſelf of Array is according to Law, and ſo held to be at this Time by moſt learned Lawyers, and was ſo declared to be by Mr. Juſtice *Hutton* in his Argument in the Exchequer Chamber in the Caſe of Mr. *Hambden*.

THE Letter which they ſay they can produce under his Majeſty's own Hand to Sir *John Heydon* Lieutenant of the Ordnance, of the 20*th* of *June*, 1642. is no Way contrary to his Majeſty's Profeſſions, and ſuch as his Majeſty in that Ill Time was neceſſarily to write, being to a ſworn Officer and Servant of his own, to ſend ſuch of his own Goods to him as were in his Cuſtody, and which his Majeſty ſo reaſonably might have Occaſion to uſe; and if he wiſhed it might be done privately, it is only an Inſtance of the Wickedneſs of

hat Time, that the King was forced to uſe Art nd Privacy to get what belonged to him, leaſt he might be robbed by thoſe, who nine Days before the Date of this Letter had publiſhed Orders to intercept whatſoever was going to him. Ex. Col. p. 342.

His Majeſty required not any Subſcription for Plate, Horſes, or Arms, till many Days after they had publiſhed their Propoſitions to that Purpoſe, and received great Sums of Money, and vaſt Quantitys of Plate upon thoſe Propoſitions, againſt which his Majeſty writ his Princely Letter to the City of *London* on the 14*th* of *June*, and two Days after publiſhed a Declaration with the Teſtimony and Evidence of all the Peers with him, in which he ſaid, *That if notwithſtanding ſo clear Declaration and Evidence of his Intentions, theſe Men ſhould think fit by thoſe Alarums to awaken him to a more neceſſary Care of the Defence of himſelf and his People, and ſhould themſelves in ſo unheard-of a Manner provide (and ſeduce others to do ſo too) to offend his Majeſty, having given him ſo lively Teſtimony of their Affections, what they were willing to do, when they ſhould once make themſelves able; all his good Subjects would think it neceſſary for his Majeſty to look to himſelf; and he did then excite all his Well-affected People, according to their Oaths of Allegiance and Supremacy, and according to their ſolemn Vow and Proteſtation:* Ex. Col. p. 35.

teſtation (whereby they were oblig'd to defend his Perſon, Honour and Eſtate) to contribute their beſt Aſſiſtance to the Preparations Neceſſary for the oppoſing and ſuppreſſing of the Trayterous Attempts, &c.) *And then he would take it as an acceptable Service, if any Perſon upon ſo urgent and viſible a Neceſſity of his Majeſty, and ſuch an apparent Diſtraction of the Kingdom, would bring in to him, or to his Uſe, Money or Plate, or would furniſh Horſe, or Arms*, &c. This was the Time, and the Manner of his Majeſty's requiring Subſcription, for Plate, Horſe and Arms, which theſe Men impute to him.

THEY ſay the King raiſed a Guard of Horſe, and Foot about him; and by them did not only *abuſe their Committees ſent to him, beat their Publick Officers and Meſſengers, protect notorious Papiſts, Traytors or Felons, ſuch as* Beckwith *and others, from the* Poſſe Comitatus, but alſo with thoſe *Guards, Cannon and Arms from beyond Sea*, did attempt *to force Hull*, in an hoſtile Manner, and that within few Days after *that ſolemn Proteſtation at* York: All which Suggeſtions muſt be particularly examin'd: The raiſing the King's Guard was on this Occaſion, and in this Manner:

THE King reſiding with his Court at the City of *York*, and being preſſed by both Houſes of Parliament to conſent, that his Magazine at *Hull* might be remov'd from thence (for the better Supplies of the Neceſſities for *Ireland*) to the *Tower of London*, which for ma-

ny Reaſons he thought ot convenient, his Ma-
jeſty reſolved to go himſelf in Perſon to his
Town of *Hull*, to view his Arms and Muniti- Exact Collect. p. 152.
on there, that thereupon he might give Di-
rections what Part thereof might be neceſſary
to remain there, for the Security and Satisfa-
ction of the *Northern* Parts, (the Principal Per-
ons thereof having petition'd him, that it might
not be all remov'd) and what Part might be ſpa-
red for *Ireland*, what for the arming the *Scots*,
who were to go thither, and what to repleniſh
his chiefeſt Magazine the *Tower of London*;
and going thither on the 23d Day of *April* 1642.
he found all the Gates ſhut againſt him, and the
Bridges drawn up, by the Command of Sir
John Hotham, who flatly deny'd his Majeſty's
Entrance from the Walls, which were ſtrongly
mann'd, and the Cannon mounted thereon and
planted againſt the King; his Majeſty having,
in vain, endeavour'd to perſuade Sir *John Ho-
tham*, and offer'd to go in with Twenty Horſe,
becauſe he alledg'd his Retinue was too great,
was at laſt compell'd to return to *York*, after
he had proclaim'd *Hotham* Traytor, which by
all the known Laws, he was declar'd in that
Caſe to be.

THE next Day the King ſent a Meſſage to
the Houſes to require Juſtice upon Sir *John
Hotham*; to which they return'd no Anſwer,
till above a Fortnight after; in the mean Time
they ſent down ſome of the choice Members
to *Hull*, to give Sir *John Hotham* Thanks for
what

what he had done; and to assure him *that they would justify him in it*; and others into *Lincolnshire*, with Directions to their Deputy Lieutenants and all other Officers, to assist him if he were in any Distress; and then they sent some other Members as their Committee to *York*, with their Answer to the King, in which they told him, *That Sir* John Hotham *could not discharge the Trust upon which, nor make good the End for which he was placed in the Guard of that Town and Magazine, if he had let in his Majesty with such Counsellors and Company, as were then about him; and therefore upon full Resolution of both Houses, they had declar'd Sir* John Hotham *to be clear from that odious Crime of Treason; and had avow'd, that he had done nothing therein, but in Obedience to the Commands of both Houses:* Whereas in Truth, tho' they had presum'd against Law and Right to send him thither, and constitute him Governour, for a Time, of that Place, there was no Word in his Commission, or Instructions implying the least Direction, not to suffer his Majesty to come thither; but on the contrary, the Pretence was for his Majesty's especial Service.

Ex. Col. Pag. 179.

His Majesty made a quick Reply to this strange Answer, and delivering it to their Committee, wished them to return with it to the Houses, which they refus'd, telling him, That they were appointed by the Parliament, *to reside at*

at York, but they would ſend his Anſwer to *Weſtminſter*.

IT would be too long in this Place, and might be thought impertinent to conſider, whether this Cuſtom of ſending Committees to be Lieger in the Counties, which began at this Time, be agreeable to Law, and the juſt regular Power of the Houſes; for as the like will not be found in the Preſidents of former Parliaments, ſo it may be reaſonably believ'd, that that Council which is called by the King's Writ to aſſemble at *Weſtminſter*, can no more appoint ſome of their Members to reſide at *York*, or in any other Place, than they can adjourn themſelves thither; and it ſeems againſt Right, that thoſe Deputies which are ſent by the Counties or Cities to be preſent on their behalfs, in the Houſe of Commons at *Weſtminſter*, may be ſent to another Place, by which they whom they repreſent are without any Members there.

UPON this Anſwer of the Committee, as unexpected, as the other from the Houſes; and the other Acts done in this conjuncture, as the ſending another Committee to *Hull*, another into *Lincolnſhire*, all to perſuade the People to approve of what Sir *John Hotham* had done, and to aſſiſt him if there were any Occaſion; the King began very juſtly to apprehend a Deſign upon his own Perſon, and then, and not till then, reſolved, and declar'd his Reſolution to have a Guard to ſecure his Perſon, that Sir *John Hotham might not* (as his Majeſty ſaid)

Exact. Collect. p. 261.

ſaid) *by the ſame Forces, or more, raiſed by Pretence of the ſame Authority* (for he raiſed ſome daily) *continue the War, that he had levied againſt him, and as well impriſon his Perſon as attain his Goods, and as well ſhut his Majeſty up in* York, *as ſhut him out of* Hull.

THIS Guard was hereupon raiſed, with the Advice of the Principal Gentlemen of that County, and conſiſted of one Regiment of their Train-bands, commanded by the proper Colonel, who was one of the prime Gentlemen of Fortune and Reputation there; and one Troop of Horſe, which had the Honour of being called *the Prince of* Wales's *Troop*, commanded by the Earl of *Cumberland*, and conſiſting of near one Hundred, moſt, if not all of them, of the Gentry of that Shire; and that the Rumour, Scandal, and Imputation of entertaining *Papiſts*, might be clearly anſwer'd; there was neither Officer or Soldier of the Regiment or Troop, who did not take the *Oath of Allegiance and Supremacy*, and they were punctually paid by the King, that there might be no Complaint on any Side.

THIS was the Guard, the Occaſion, and Manner of levying it, full five Months after the two Houſes, againſt Law or Preſident, and without the leaſt probable Colour of Danger, had raiſed a greater Guard for themſelves, under the Command of their New Officer *Skippon*, after they had beſieg'd the *Tower*, and compell'd the King to commit the Government

of

of it to a Man of their own Nomination, and Election; after they had put a Governour and Garriſon into *Hull*, and that Governour and Garriſon kept his Majeſty out of the Town; after they had, in Defiance of his Majeſty and againſt his expreſs Pleaſure ſignify'd to them, put his Royal Navy into the Hands, and under the Command of the Earl of *Warwick*; after they had in many Counties executed the Ordinance of the *Militia*; and after they had brought the Danger to his Chamber Door, by their Orders to the very Sheriff of *Yorkſhire* to aſſiſt Sir *John Hotham*, and employing their Committee there to the ſame Purpoſe.

For abuſing the Committees ſent to his Majeſty, they ſhould (and no doubt if it had been in their Power they would) have mention'd one particular Abuſe offer'd to them; it is very well known that they had all Freedom and Reſpect, albeit his Majeſty well knew the ill and Seditious Offices they did there; and tho' they appeared publickly at all Meetings, and when his Majeſty propoſed any Thing to the County, they produced their Inſtructions, and diſſuaded the County from complying with his juſt Deſires; the ſuffering and induring whereof might more reaſonably be imputed to the King, than any ill uſage they receiv'd; of which, their own Letters printed by Order, will be ſufficient Teſtimony; and when the King went from *York*, towards *Nottingham*, after he had declared by his Proclamation, that he

Ex Col. p. 185.

would erect his Royal Standard; the Lord *Fairfax* (being one of that Committee) by some Accident of Sickness, continuing still at his House in that County; albeit the King well knew the Dis-service he had done him, and that the keeping him in Prison might prevent much more, that he was like to do him, yet since he had receiv'd him there as a Member employ'd from the Parliament, and that his return thither was hinder'd by an indisposition of Health, he would not suffer him to be apprehended, but left him undisquieted, or disturbed, to recollect himself, and to revolve his Majesty's Goodness: So far was that Committee, or any Member of it from being abused, whatsoever they deserved.

THE next Instance of the King's breach of his Protestation, or doing somewhat against it, is, *the beating their publick Officers and Messengers, and protecting notorious Papists, Traytors, Felons, such as* Beckwith *and others from the* Posse Comitatus: Since there is no other named, it may be suppos'd, that this is the only, or most notorious example of that Protection, and therefore it will be fit to examine, what the Case of this Man was.

THIS Gentleman Mr. *Beckwith* (whether a Papist or no is not material) lived in *Beverly*, whither his Majesty came that Night, after Sir *John Hotham* had refused to suffer him to come into *Hull*, and was utterly unknown to his Majesty, but had the just Sense an honest

Subject

Subject ſhould have of the Indignity offer'd to his Soveraign, and the Miſchief that might befall that County and Kingdom by this rebellious Act, and was forward to expreſs (as moſt of the Gentlemen of that County were) a Deſire to repair to his Majeſty, and to prevent the Inconveniences which were otherwiſe like to follow.

He had in the Town of *Hull* a Son-in-law, one *Fooks*, who was a Lieutenant of a Foot Company in that Garriſon, whom he ſuppoſed (being only drawn in with the Train-bands) not maliciouſly engaged in the Purpoſe of Treaſon, and therefore as well to preſerve a Man, who was ſo near to him, innocent, as for other Reſpects to his King and Country, he ſent for him to come to him to his Houſe, which the other (there being then no Intercourſe hindred on either Side) did, and upon Diſcourſe fully ſenſible of the Unlawfulneſs of the Act, which had been done, and willing to do any Thing for the King's Service; declar'd, That the *Thurſday* Night following he ſhould have the Guard at the *North* Gate, and that if an Alarum was given at another Gate called *Heſſell-Gate*, he would let thoſe in who came from the King; Mr. *Beckwith* promiſed, if he would perform this, he ſhould have a very good Reward, and that if he could convert his Captain, one *Lowanger* (a *Dutch*-man) to joyn with him, he ſhould likewiſe be very liberally rewarded. This is all that was alledg'd againſt Mr. *Beckwith*,

as appears by Sir *John Hotham*'s Letter of the whole Information to Mr. *Pim*, enter'd in the Journal-Book of the Houſe of Commons, and Printed by their Order.

FOOKES (as ſoon as he return'd to *Hull*) diſcover'd all to Sir *John Hotham*, and he deriv'd it to the Houſe of Commons, as is ſaid, and they upon this Evidence ſent their Sergeant at Arms, or his Meſſenger, to apprehend *Beckwith* as a Delinquent, who upon Notice of the Treachery of his Son-in-law, durſt not ſtay at his Houſe, but remov'd to *York*.

THE Meſſenger, with the Confidence of his Maſters, boldly came thither, and finding the Gentleman in the Court, and in the Garden where the King himſelf was walking, had the Preſumption to ſerve the Warrant upon him, and to claim him as his Priſoner; it was indeed a great Wonder that the Meſſenger was not ſeverely handled, but the Reverence to the King's Perſon preſerved him, who bore no Reverence to it; and his Majeſty being inform'd what had hapned, call'd for the Fellow, and having ſeen his Warrant, bid him return to thoſe that ſent him, and forbear committing the like Inſolence, leſt he fared worſe; this was the beating their Meſſenger, and this the Protection Mr. *Beckwith* had; nor was there ever any *Poſſe Comitatus* raiſed, the High Sheriff daily waiting on his Majeſty, and obſerving the Orders he receiv'd from him, according to the Duty of his Office.

WHAT

WHATEVER this Offence had been, it was never known (before this Parliament) that the Meſſenger of either Houſe ever preſumed to ſerve a *Warrant* within the King's Court, much leſs in his Preſence, which whilſt Loyalty and Duty were in Reputation, was held too ſacred for ſuch Preſumptions; the Law confeſſing ſuch Priviledges and Exemptions to be due to thoſe Places, *That the Lord cannot ſeize his Villain in the King's Preſence, becauſe the Preſence of the King is a Sanctuary unto him*, ſays my Lord *Dyer*.

FOR the Matter it ſelf, ſure there is no Man that will avow himſelf to be ſo much out his Wits, as to ſay, that the King ſhould have ſuffered Mr. *Beckwith* to be carried to *Weſtminſter* as a Delinquent for doing the Part of a good Subject; and to be tried by thoſe, who owned the Treaſon that was committed; nor can there be one Perſon named whom they ſent for as a Delinquent, and the King protected, except thoſe who had been a Year together attending upon them and demanding Juſtice; or thoſe againſt whom nothing was objected, but that they waited on and attended his Majeſty: For the Traytors and Felons, they were only to be found within their own Verge; and protected by their own Priviledges.

VERY few Lines will ſerve here to take Notice of the Difference between the King's Uſage of their Meſſengers, and their Uſage of the King's; their Meſſenger ſent by them on

an unlawful Imployment to apprehend a Perſon they had no Power to ſend for, and for a Crime of which (if he had been guilty) they had no Cognizance, and executing their Commands in an unlawful Manner, and in a Place where he ought not to have done it, tho' the Command had been juſt, was by the King fairly diſmiſſed without ſo much as Impriſonment or Reſtraint: The King's Meſſenger, ſent by his Majeſty with a Legal Writ to *London*, for the adjournment of the Term which is abſolutely in the King's Power to do, and can be regularly done no other Way, for performing his Duty in this Service, according to his Oath, and for not doing whereof he had been puniſhable, and juſtly forfeited his Place, without any other Crime objected to him, was *taken, impriſoned, tryed at a Court of War, by them condemned to be hanged, and was executed accordingly:* That Blood will cry aloud.

Daniel Kniveton.

BUT they ſay, *with thoſe Guards, Cannon, and Arms from beyond Sea, the King attempted to force* Hull *in a Hoſtile Manner, and that within few Days after that Solemn Proteſtation at* York.

WHAT the Proteſtation was, is before ſet down, and his Majeſty's publiſhed Reſolution in this Point before that Proteſtation, nor did his Majeſty ever conceal his *Purpoſe* in this or other Caſes of that Nature, or diſguiſed his purpoſe with any ſpecious Promiſes or Pretences,

ces, but plainly told them, and the World, what they were to expect at his Hands.

To their Expostulatory and Menacing Petition delivered to his Majesty at his first coming to *York*, on the *26th* of *March*, the King in his Answer used these Words, *As we have not, nor shall refuse any Way agreeable to Justice or Honour, which shall be offered to us for the begetting a right Understanding between us, so we are resolved that no Straits or Necessities (to which we may be driven) shall ever compel us to do that which the Reason and Understanding that God hath given us, and our Honour and Interest, with which God hath trusted us for the good of our Posterity and Kingdoms, shall render unpleasant and grievous to to us.* Ex. Col. p. 128.

In this second Message concerning *Hull*, the second Day after the Gates were shut against him, his Majesty uses these Words, *If we are brought into a Condition so much worse than any of our Subjects, that whilst you all enjoy your Priviledges, and may not have your Possessions disturbed or your Titles questioned, we only may be spoiled, thrown out of our Towns, and our Goods taken from us, 'tis Time to examine how we have lost those Priviledges, and to try all possible Ways, by the Help of God, the Law of the Land, and the Affection of our good Subjects, to recover them and vindicate our self from those Injuries.* Ex. Col. p. 156.

In his Reply to their Answer concerning Sir *John Hotham*, presented to him on the *9th* of *May*, his Majesty told them, that *he expected* Ex. Col. p. 192.

pected that they would not put the Militia in Execution, untill they could ſhew him by what Law they had Authority to do the ſame without his Conſent; or if they did, he was confident that he ſhould find much more obedience according to Law, than they againſt Law.

LASTLY, in his Anſwer to a Declaration of the 21*ſt* of *June*, 1642, (about a fortnight before his going towards *Hull* with his Guards) his Majeſty told them plainly, *That the keeping him out of* Hull *by Sir* John Hotham, *was an Act of High Treaſon againſt him, and the taking away his Magazine and Munition from him, was an Act of Voilence upon him (by what Hands, or by whoſe Directions ſoever it was done) and in both Caſes by the help of God and the Law he would have Juſtice, or loſe his Life in the requiring it*; ſo that certainly the King never concealed or diſſembled his Purpoſes, and accordingly he did indeed toward the middle of *July* go with his Guards to *Beverly*, having ſome Reaſon to believe, that Sir *John Hotham* had repented himſelf of the Crime he had committed, and would have repaired it as far as he had been able, of which failing (to his own miſerable Deſtruction) without attempting to force it his Majeſty again returned to *York*.

Ex. Col. p. 380.

They have not obſerv'd their Profeſſions to the King, nor kept their Promiſes to the People.

HAVING made it now plainly appear how falſly and groundleſly his Majeſty is reproached with the leaſt Tergiverſation or ſwerving from his Promiſes or Profeſſions (which no Prince ever more preciſely and religiouſly obſerved,) it will

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be but a little expence of time, again to examin how punctual these Conscientious Reprehenders of their Sovereign have been in the Observation of what they have sworn or said.

In the first Remonstrance of the House of Commons of the State of the Kingdom they declare, *that it is far from their Purpose or Desire to let loose the Golden Reins of Discipline and Government in the Church, to have private Persons, or particular Congregations to take up what Form of Divine Service they please; for* (they said) *they held it requisite that there should be throughout the whole Realm, a Conformity to that Order which the Laws enjoyn.* Ex. Col. pag. 19.

In their Declaration of the 19*th* of *May*, speaking of the Bill for the Continuance of this Parliament, they say, *We are resolved, the Gratious Favour his Majesty expressed in that Bill, and the Advantage and Security which thereby we have from being dissolved, shall not encourage us to do any Thing, which otherwise had not been fit to have been done.* Ex. mol. p. 203.

In the Conclusion of their Declaration of the 26*th* of *May*, 1642. apprehending very justly that their Expressions there would beget at least a great Suspicion of their Loyalty, they say, *They doubt not but it shall in the End appear to all the World, that their Endeavours have been most hearty and sincere for the Maintenance of the true Protestant Religion, the King's just Prerogatives, the Laws and Liberties of the Land, and the Priviledges of Parliament, in which Endea-* Ex. Col. p. 281.

vours,

vours, by the Grace of God, they would ſtill perſiſt though they ſhould periſh in the Work.

In their Declaration of the 14 of *June*, 1642 the Lords and Commons do declare, *That the Deſign of thoſe Propoſitions* (for Plate and Money) *is to maintain the Proteſtant Religion, the King's Authority and Perſon in his Royal Dignity, the free Courſe of Juſtice, the Laws of the Land, the Peace of the Kingdom, and Priviledges of Parliament.*

Ex. Col. p. 376.

As they have obſerved theſe and other their Profeſſions to the *King* and the *Publick*, ſo they have as well kept their Promiſes to the *People*; in their Propoſitions of the 10*th* of *June*, 1642. for bringing in Money or Plate, the Lords and Commons do declare, *That no Mans Affection ſhall be meaſured according to the proportion of his Offer, ſo that he expreſs his good Will to the Service in any proportion whatſoever*; the firſt Deſign was to involve as many as they could in the Guilt, how ſmall ſoever the ſupply was; but on the 29*th* of *November* following, the ſame Lords and Commons appointed ſix Perſons, *who, or any four of them, ſhould have Power to aſſeſs all ſuch Perſons as were of Ability, and had not contributed, and all ſuch as had contributed yet, not according to their Ability, to pay ſuch ſum or ſums of Money, according to their Eſtates, as the Aſſeſſors or any four of them ſhould think fit and Reaſonable, ſo as the ſame exceeded not the twentieth part of their Eſtates.*

Ex. Col. p. 340.

Ex. Cl. p. 765.

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INFINITE Examples of this Kind may be produc'd, which are the leſs Neceſſary, becauſe whoſoever will take the Pains to read their own Declarations, and Ordinances, *ſhall not be able to find one Proteſtation or Profeſſion made by them* to God Almighty *in the Matter of Religion, or to the* King *in Point of Duty and Obedience, or one Promiſe to the* People *in Matter of Liberty, Law, and Juſtice, ſo near purſued by them, as that they have ever done one compoſed Act, in Order to the Performance of either of them*; which very true Aſſertion ſhall conclude this Anſwer to that Reproach of his Majeſty's not having made good his Proteſtations.

XXI. THE next Charge is, *That his Majeſty proclaim'd them Traytors and Rebels, ſetting up his Standard againſt the Parliament, which never any King of* England (they ſay) *did before himſelf.* The 21ſt Charge.

HIS Majeſty never did, nor could proclaim this Parliament Traytors, he well knew (beſides his own being the Head of it) that *four Parts of five* of the Houſe of *Peers* were *never Preſent* at any of thoſe Traytorous Concluſions, and that above a *major Part* of the Houſe of *Commons* was *always Abſent*, and that of thoſe who were preſent, there were many, who ſtill oppoſed or diſſented from every unlawful Act, and therefore it were very ſtrange, if all thoſe innocent Men of whom the Parliament conſiſted as well as of the reſt, ſhould have been proclaim'd Rebels

bels and Traytors for the Acts of a few seditious Persons, who were upon all Occasions named; and if the Parliament were ever proclaim'd Traytors, it was by them only who presumptuously shelter'd their rebellious Acts, under that venerable Name, and who declar'd, that *whatsoever Violence should be used either against those, who exercise the Militia, or against* Hull, *they could not but believe it as done against the Parliament.* They should have named one Person proclaim'd Rebel or Traytor by the King, who is not adjudg'd to be such by the Law.

Ex. Col. p. 376.

The King never proclaim'd Sir *John Hotham* Traytor (tho' it may be he was guilty of many treasonable Acts before) till he shut the Gates of *Hull* against him, and with armed Men kept his Majesty from thence, and besides the concurrent Testimony of all Judgments at Law, it appears and is determin'd by the Lord Chief Justice *Coke* (publish'd by the House of Commons this Parliament) in his Chapter of High Treason, *That if any with Strength and Weapons Invasive and Defensive, doth hold and defend a Castle or Fort against the King and his Power, this is levying of War against the King, within the Statute of the 25th Year of* Edw. III.

The King proclaim'd not those Rebels or Traytors, who Voted, That they would raise an Army, and that the Earl of *Essex* should be General of that Army (whatever he might have done) nor the Earl of *Essex* himself a Traytor upon

upon thoſe Votes, until he had accepted that Title and Command of *Captain General*, and in that Quality appear'd amongſt the Soldiers, *animating and encouraging them in their traytorous and rebellious Deſigns*, as appears by his Majeſty's Proclamation of the 9th of *Auguſt*, 1642. by which he was firſt proclaim'd Traytor: And there was no other Way to clear the Earl of *Eſſex* from being guilty of Treaſon by that Act of his, within the expreſs Words of the ſecond Chapter of the 25th Year of King *Edward* III. but by declaring, *That by levying War againſt our Lord the King in his Realm* (which in that Statute is declar'd to be High Treaſon) *is meant, levying War againſt the Parliament*, and yet Mr. *St. John* obſerv'd in his Argument againſt the Earl of *Strafford*, printed by Order, that the Word KING in that Statute muſt be underſtood of the King's natural Perſon, for that Perſon can only die, have a Wife, have a Son, and be impriſon'd.

THE Lord Chief Juſtice *Coke* in his Commentary upon that Statute, ſaith, *If any levy War to expulſe Strangers, to deliver Men out of Priſons, to remove Counſellors, or againſt any Statute, or to any other End, pretending Reformation, of their own Head, without any Warrant, this is levying War againſt the King, becauſe they take upon them Royal Authority, which is againſt the King*; and that there may be no Scruple, by that Expreſſion *without Warrant*; the ſame Author ſays, in the ſame Place, and

3 *Part. Inſtit. fol.* 9.

and but few Lines preceding, *That no Subject can levy War within the Realm without Authority from the King, for to him it only belongeth.*

Id. fol. 12. *Preparation by ſome overt Act to depoſe the King, or to take the King by Force and ſtrong Hand, and to impriſon him, until he hath yielded to certain Demands, that is a ſufficient overt Act to prove the compaſſing and Imagination of the Death of the King, for this is upon the Matter to make the King a Subject, and to diſpoil him of his Kingly Office of Royal Government,* as is concluded by the ſame reverend Author, and likeId. fol. 9. wiſe, that *to riſe to alter Religion eſtabliſh'd within the Kingdom, or Laws, is Treaſon.*

THESE Declarers cannot name one Perſon proclaim'd a Rebel or Traytor by the King, who was not confeſſedly guilty of, at leaſt, one of theſe Particulars; and being ſo, the King did no more than by the Law he ought to do;

Fol. 7. and Mr. *St. John* acknowledg'd in his Argument againſt the Earl of *Strafford*, *That he that levies War againſt the Perſon of the King, doth neceſſarily compaſs his Death; and likewiſe, that it is a War againſt the King, when intended for the Alteration of the Laws or Government in any Part of them, or to deſtroy any of the great Officers of the Kingdom.*

FOR the ſetting up the Standard, it was not till thoſe Perſons, who bearing an inward Hatred and Malice againſt his Majeſty's Perſon and Government, had raiſed an Army, and were then traytorouſly and rebelliouſly march-

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ing in Battle-array againſt his Majeſty, their Liege Lord and Sovereign, as appears by his Majeſty's Proclamation of the 12th of *Auguſt*, 1642. in which he declar'd his Purpoſe to erect his Royal Standard; and after they had, with an Army, beſieg'd his Majeſty's antient ſtanding Garriſon of *Portſmouth*, and requir'd the ſame (in which the King's Governour was) to be deliver'd to the Parliament; and after they had ſent an Army of Horſe, Foot, and Cannon, under the Command of the Earl of *Bedford*, into the *Weſt*, to apprehend the Marquiſs of *Hertford*, who was there in a peaceable Manner without any Force, till he was compell'd to raiſe the ſame for his Defence, and to preſerve the Peace of thoſe Counties, invaded by an Army; and then when his Majeſty was compell'd for thoſe Reaſons to erect his Standard, with what Tenderneſs he did it towards the two Houſes of Parliament, cannot better appear than by his own Words, in his Declaration publiſh'd the ſame Day on which that Proclamation was iſſued out, which are theſe, *What our Opinion and Reſolution is concerning Parliaments, we have fully expreſſed in our Declarations; we have ſaid, and will ſtill ſay, they are ſo eſſential a Part of the Conſtitution of this Kingdom, that we can attain to no Happineſs without them, nor will we ever make the leaſt Attempt (in our Thought) againſt them; we well know that our Self, and our two Houſes make up the Parliament, and that we are like* Hippocrates *Twins, we muſt* Ex. Col. p. 561.

laugh and cry, live and die together; that no Man can be a Friend to the one, and an Enemy to the other; the Injuſtice, Injury, and Violence offer'd to Parliaments, is that which we principally complain of; and we again aſſure all our good Subjects, in the Preſence of Almighty God, that all the Acts paſſed by us this Parliament, ſhall be equally obſerved by us, as we deſire thoſe to be which do moſt concern our Rights: Our Quarrel is not againſt the Parliament, but againſt particular Men, who firſt made the Wounds, and will not ſuffer them to be healed, but make them deeper and wider by contriving, foſtering, and fomenting Miſtakes and Jealouſies betwixt Body and Head, Us and the two Houſes, whom we name, and are ready to prove them Guilty of High Treaſon, &c. And then his Majeſty names the Perſons.

THIS was the King's Carriage towards, and Mention of the Parliament; very different from theirs, who are now poſſeſs'd of the Sovereign Power; the Army, who in their Remonſtrance of the 23d of *June* laſt, uſe theſe Words, *We are in this Caſe forced (to our great Grief of Heart) thus plainly to aſſert the preſent Evil and Miſchief, together with the future worſe Conſequences of the Things lately done, even in the Parliament itſelf, which are too evident and viſible to all, and ſo in their proper Colours to lay the ſame at the Parliament Doors, until the Parliament ſhall be pleas'd, either of themſelves to take Notice and rid the Houſe of thoſe, who*

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have any way misinform'd, deluded, surpriz'd, or otherwise abused the Parliament to the passing such foul Things there, or shall open to us and others some Way, how we may, &c. which would not have been mention'd here, if they had been only the extravagant Act and Words of the Army, but they are since justify'd, and made the Words of the two Houses by their declaring in their late Declaration of the 4th of *March*, in Answer to the Papers of the *Scots* Commissioners, *That if there be any unsound Principles in Relation to Religion, or the State in some of the Army, as in such a Body there usually are some extravagant Humours, they are very injuriously charged upon the whole Army, whereof the governing Part hath been very careful to suppress, and keep down all such peccant Humours, and have hitherto always approved themselves very constant and faithful to the true Interest of both Kingdoms, and the Cause wherein they have engag'd, and the Persons that have engag'd therein*; So that this Remonstrance, being the Act of the General, Lieutenant-General, and the whole Council of War, (which is sure the governing Part) it is by this Declaration fully vindicated to be the Sense of the two Houses. p. 88.

XXII. THE *setting up a mock Parliament at* Oxford *to oppose and protest against the Parliament of* England, *which his Majesty and both Houses had continued by Act of Parliament*, is *The 22d. Charge.*

in the next Place objected againſt his Majeſty.

THERE was neither real nor mock Parliament ſet up at *Oxford*, but when the King found that moſt of the Members of either Houſe, were driven from *Weſtminſter* by Force, as his Majeſty had been, and yet that the Authority and Reputation of Parliament was apply'd for the Juſtification of all the rebellious Acts which were done, even to the invitation of Foreign Power to invade the Kingdom; as well for the Satisfaction of his People, that they might know how many of the true Members of Parliament abhorred the Acts done by that pretended Authority; as for his own Information, his Majeſty by his Proclamation of the 22d of *December*, in the Year, 1643. invited all the Members of both Houſes, who had been driven, or (being conſcious of their want of freedom) had withdrawn from *Weſtminſter*, to aſſemble at *Oxford* upon the 22d of *January* following, when (he ſaid) *all his good Subjects ſhould ſee how willing he was to receive Advice for the Religion, Laws, and Safety of the Kingdom, from thoſe whom they had truſted, though he could not receive it in the Place where he had appointed:* Upon which Summons and Invitation by his Majeſty, eight and forty Peers attended his Majeſty, there being, at leaſt, twenty others employ'd in his Armies, and in the ſeveral Counties, whoſe attendance was diſpenſed with, and nine others in the Parts beyond the Seas, with his Majeſty's leave;

leave; and of the Houſe of Commons above one Hundred and forty, there being likewiſe abſent in the Armies near thirty more, who could not be conveniently preſent at *Oxford.*

WHEN his Majeſty found the Appearance ſo great, and ſo much ſuperior in Number, as well as Quality, to thoſe at *Weſtminſter*, he hoped it would prove a good Expedient to compoſe the Minds of the other to a due Conſideration of the Miſery, into which they had brought their Country; and referred it to them to propoſe any Advice, which might produce ſo good an effect; what Addreſſes and Overtures were then made by them, and afterwards by his Majeſty to perſuade them to enter upon any Treaty of Peace, and with what Contempt and Scorn the ſame was rejected, will be too long to inſert here, and is ſufficiently known to the World; thereupon this Body of Lords and Commons publiſh'd a Declaration to the Kingdom, at large ſetting forth the particular Acts of Violence, by which they had been driven from *Weſtminſter*, and by which the freedom of Parliament was taken away, and then declared how much they abhor'd the undutiful and rebellious Acts, which were countenanc'd by thoſe who ſtaid there, and declar'd their own Submiſſion and Allegiance to his Majeſty; and in the End concluded, *That as at no Time either or both Houſes of Parliament can, by any Orders or Ordinances, impoſe upon the* People *without the King's Conſent, ſo by Reaſon of the Want of*

Freedom and Security for all the Members of the Parliament to meet at Weſtminſter, *and there to ſit, ſpeak, and vote with Freedom and Safety, all the Actions, Votes, Orders, Declarations and pretended Ordinances made by thoſe Members who remain ſtill at* Weſtminſter, *were void and of none effect; yet they ſaid they were far from attempting the Diſſolution of the Parliament, or the Violation of any Act made and confirm'd by his Majeſty, but it was their Grief in the behalf of the whole Kingdom, that ſince the Parliament was not diſſolved, the Power thereof ſhould, by the Treaſon and Violence of thoſe Men, be ſo far ſuſpended, that the Kingdom ſhould be without the Fruit and Benefit of a Parliament, which could not be reduc'd to any Action, or Authority, till the Liberty and Freedom due to the Members ſhould be reſtor'd and admitted*; which Declaration hath not only ever receiv'd any Anſwer, but, with great Care, hath not been ſuffer'd to be printed in the laſt Collection of Orders and Declarations, where the other Proceedings at *Oxford* of that Time are ſet forth, that the People may loſe that Evidence againſt them, which can never be anſwer'd or evaded.

THIS was that Aſſembly, which theſe Declarers call the *Mock Parliament* at *Oxford*, and theſe the Proceedings of it; of the Juſtice and Regularity whereof, if there could have been heretofore any Doubt made, the ſame is lately vindicated ſufficiently by both Houſes; for if thoſe Lords and Commons at *Oxford* might

might not juſtifiably abſent themſelves from *Weſtminſter*, where their Safety and Freedom was taken from them; by what Right or Authority could a ſmaller Number withdraw themſelves in *July* laſt upon the ſame Pretence? And if that Body of Lords and Commons, regularly convened by his Majeſty's Authority, to *Oxford*, who had firſt called them together at *Weſtminſter*, might not declare the Acts made by thoſe who remain'd at *Weſtminſter*, void, and of none Effect, becauſe they might not attend there and Vote with Freedom and Safety; by what imaginable Authority could the Speaker of the Houſe of Commons, (who hath no more Freedom or Power to make any ſuch Declaration, than every ſingle Member of the Houſe, declare, *That ſuch and ſuch Votes paſſed in the Houſe, were void and null? And that the Omiſſion of a Circumſtance, or ſome Formality in the Adjournment of the Houſes, could not be any Prejudice to the future Meetings and Proceedings of Parliament, when it might meet and ſit again as a free Parliament*, as he did by his own ſingle Declaration in *July* laſt: Whereupon that powerful Umpire (the Army) very frankly declar'd, *That all ſuch Members of either Houſe of Parliament, as were already with the Army, for the Security of their Perſons, and were forced to abſent themſelves from* Weſtminſter, *that they ſhould hold and eſteem them, as Perſons in whom the Publick Truſt of the Kingdom was ſtill remaining, tho' they could not, for the preſent, ſit as a Parliament*

Decl. and Papers of the Army, p. 127.

liament with Freedom and Safety at Weſtminſter, *and by whoſe Advice and Counſels, they deſir'd to govern themſelves in the managing thoſe weighty Affairs; and to that End, invited them to make their repair to the Army,* and ſaid, *they held themſelves bound to own that honourable Act of the Speaker of the Houſe of Commons, who had actually withdrawn himſelf, and they engag'd to uſe their utmoſt and ſpeedy Endeavour, that he and thoſe Members of either Houſe, that were then inforced any Way from* Weſtminſter, *might with Freedom and Security ſit there, and again diſcharge their Truſt, as a Free and Legal Parliament; and in the mean Time, they did declare againſt that late Choice of a new Speaker by ſome Gentlemen at* Weſtminſter, *as contrary to all Right, Reaſon, Law and Cuſtom, and profeſſed themſelves to be moſt clearly ſatisfy'd in all their Judgments, and were confident the Kingdom would therein concur with them; that as Things then ſtood, there was no Free nor Legal Parliament ſitting, being through the foreſaid Violence at preſent ſuſpended; and that the Orders, Votes, or Reſolutions forced from the Houſes on* Monday *the 26th of* July *laſt, as alſo all ſuch, as ſhould paſs in that Aſſembly of ſome few Lords and Gentlemen at* Weſtminſter, *under what Pretence and Colour ſoever, were void and null, and ought not to be ſubmitted to by the free-born Subjects of* England.

IT is not deny'd, that the Preſentation of thoſe humble Deſires of the young Men and Apprentices

Apprentices of the City of *London* to both Houſes on the 26th of *July* laſt, by which they compell'd them to Reverſe and Repeal two ſeveral Acts of both Houſes paſſed but three Days before, was moſt deſtructive to the Privilege and Freedom of Parliament; and no Queſtion the Speakers and Members of both Houſes, had good Reaſon to withdraw and abſent themſelves upon that Violation; but it is affirmed, that the Freedom of Parliament was as much obſtructed by ſeveral other Acts preceding, as it was on the 26th of *July* laſt; and that the Members of both Houſes, who attended his Majeſty at *Oxford*, had as great Reaſon to withdraw themſelves, and, at leaſt, as much Authority to declare their want of Freedom, as the Speaker and the others had then, or the Army to declare on their behalfs.

A full Relation of the firſt Tumults.

WHEN the Tumults brought down by *Manwaring* and *Ven, compelled the Houſe of Peers to paſs the Act of Attainder againſt the Earl of* Strafford, to which the *fifth Part* of the Peers never conſented, (the reſt being driven from thence) and afterwards *ſo abſolutely forced his Majeſty* to ſign it, that it cannot be call'd his Act, his Hand being held and guided by thoſe who kept Daggers at his Breaſt, and ſo his Royal Name affix'd by them; and it being told him at his Council-Board, by thoſe who were ſworn to defend him from ſuch Violence, that *if it were not done in that Inſtant, there would be no Safety for himſelf, his Royal Conſort,*

ſort, or his Progeny, the Rabble having at that Time, beſieg'd his Court: The Freedom of Parliament was no leſs invaded, than it was on the 26th of *July* laſt.

WHEN the ſame Captain *Ven*, then a Member of the Houſe of Commons (in *November* and *December*, 1642.) ſent Notes in Writing under his Hand into the City, *That the People ſhould come down to* Weſtminſter, *for that the better Part of the Houſe was like to be overpower'd by the worſer Part, whereupon at that Time, and ſome Days after, Multitudes of the meaneſt ſort of People, with Weapons not agreeing with their Condition, or Cuſtom, in a Manner contrary and deſtructive to the Privilege of Parliament, filled up the Way between both Houſes, offering Injuries both by Words and Actions too, and laying violent Hands upon ſeveral Members, proclaiming the Names of ſeveral of the Peers, as Evil and Rotten-hearted Lords, crying many Hours together againſt the Eſtabliſh'd Laws in a moſt tumultuous and menacing Way; and when this Act was complain'd of to the Houſe of Commons, and Witneſſes offer'd to prove Captain* Ven *Guilty of it; and a Fellow who had aſſaulted and reproach'd a Member of the Houſe of Commons in thoſe Tumults, coming again to that Bar with a Petition, ſhew'd and complain'd of to that Houſe; and yet in neither of theſe Caſes, Juſtice, or ſo much as an Examination could be obtain'd, and when theſe Proceedings were ſo much countenanc'd by particular Members, that when*

Declar. Lords and Commons, Oxf. f. 8, 9.

when the Houſe of Peers complain'd of them as derogatory to the Freedom as well as Dignity of Parliament; Mr. *Pim* ſaid, *God forbid we ſhould diſhearten our Friends, who came to aſſiſt us*: No doubt the Freedom and Safety of the Parliament, was no leſs in Danger and violated, than it was on the 26th of *July* laſt.

WHEN in *January*, 1642. (after the firſt Propoſition concerning the *Militia* was brought to the Houſe of Peers, and by them rejected) a Petition was brought in a tumultuous Manner to the Houſe of Lords, in the Name of the Inhabitants of *Hertford-ſhire*, *deſiring Liberty to proteſt againſt all thoſe as Enemies to the Publick, who refuſed to joyn with the Honourable Lords, whoſe Endeavours were for the Publick Good, and with the Houſe of Commons for the putting the Kingdom into a Poſture of Safety under the Command of ſuch Perſons, as the Parliament ſhould appoint*; when other Petitions of that Nature, and in the ſame Manner deliver'd, were preſented to the Houſe, concluding that *they ſhould be, in Duty, oblig'd to maintain their Lordſhips, ſo far as they ſhould be united with the Houſe of Commons in their juſt and pious Proceedings*; when, at the ſame Time, a Citizen accompany'd with many others, ſaid at the Bar of the Houſe of Commons, without reprehenſion, That *they heard there were Lords, who refus'd to conſent and concur with them, and that they would gladly know their Names.*

WHEN

WHEN that ſignal Petition of many Thouſand poor People was deliver'd to the Houſe of Commons, *which took Notice of a Malignant Faction, that made abortive all their good Motions, and profeſſed, that unleſs ſome ſpeedy Remedy were taken for the removing all ſuch Obſtructions, as hinder'd the happy Progreſs of their great Endeavours, the Petitioners would not reſt in Quietneſs, but ſhould be forc'd to lay hold on the next Remedy that was at Hand, to remove the Diſturbers of the* Peace; and when that monſtrous Petition was carried up to the Houſe of Peers, by an Eminent Member of the Commons, as an Argument to them to concur with the Commons in the Matter of the *Militia*; and that Member deſir'd, That if the Houſe of Commons was not aſſented to in that Point, thoſe Lords who were willing to concur, *would find ſome Means to make themſelves known, that it might be known, who were againſt them, and they might make it known to thoſe who ſent them:* Upon which Petition ſo ſtrangely framed, countenanced, and ſeconded, many Lords thereupon withdrawing themſelves, in pure Fear of their Lives, the Vote in Order to the *Militia* twice before rejected, was then paſſed: The Freedom of Parliament was as abſolutely invaded, as it was on the 26th of *July* laſt.

Ib. p. 12.

IN *Auguſt*, 1643. the Houſe of Commons agreed, after a long and ſolemn Debate to joyn with the Lords in ſending Propoſitions of Peace to the King; the next Day printed Pa-

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pers were ſcatter'd in the Streets, and fixed upon publick Places both in the City, and the Suburbs, *requiring all Perſons well-affected, to riſe as one Man, and to come to the Houſe of Commons next Morning, for that* 20000 Iriſh *Rebels were landed*; which Direction and Information was that Day likewiſe given in Pulpits by their ſeditious Preachers; and in ſome of thoſe Papers it was ſubſcrib'd, *that the Malignant* Party *had over-voted the Good, and if not prevented, there would be* Peace; a Common-Council was called late at Night, though *Sunday*, and a Petition there framed againſt Peace, which was the next Morning brought to the Houſe, countenanced by Alderman *Penington*, who (being then Lord Mayor of *London*) that Day came to the Houſe of Commons, attended with a great Multitude of mean Perſons, who uſed Threats, Menaces, and Reproaches to the Members of both Houſes; their Petition took Notice of *Propoſitions paſſed by the Lords for* Peace, *which, (if allow'd) would be deſtructive to Religion, Laws, and Liberties, and therefore deſir'd an Ordinance, according to the Tenour of an Act of their Common Council the Night before:* Thanks were given by the Commons, whilſt the Lords complained of the Tumults, and deſir'd a Concurrence to ſuppreſs them, and to prevent the like, many of the People telling the Members of both Houſes, *that if they had not a good Anſwer, they would be there the next Day, with double*

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the Number; by theſe Threats, and this Violence, the Propoſitions formerly received were rejected, and all Thoughts of Peace laid aſide, and then ſurely the Freedom of Parliament was as much taken away, as on the *26th* of *July* laſt.

In a Word, when the Members of both Houſes were compelled to take that Proteſtation, *to live and die with the Earl of Eſſex*, and ſome impriſoned and expelled for refuſing to take it; when they were forced to take that ſacred Vow and Covenant of the *6th* of *June*, 1643. by which they ſwore, *that they would to their Power aſſiſt the Forces raiſed and continued by both Houſes of Parliament againſt the Forces raiſed by the* King; when they were compelled to take the laſt ſolemn League and Covenant, that *Oath Corban*, by which they conceive themſelve abſolved from all Obligations Divine and Humane; as their Predeceſſours (the *Jews*) thought they were diſchared by that (though they had bound themſelves) not to help or relieve their Parents; and laſtly, when the Army marched to *London* in the Beginning of *Auguſt* laſt, in Favour of the Speakers and thoſe Members, who had reſorted to them, and brought them back to the Houſes, and drove away ſome, and cauſed others of the Members of a contrary Faction to be impriſoned, and expelled the Houſes, the Liberty and Freedom of Parliament was no leſs violated and invaded, than it was on the *26th* of *July* laſt.

Upon

UPON theſe Reaſons, and for want of the Freedom ſo many ſeveral Ways taken from them, thoſe Lords and Commons who attended his Majeſty at *Oxford*, had withdrawn themſelves from *Weſtminſter*, and might then, as truly and more regularly have ſaid, what the Army ſince with Approbation and Thanks have ſaid, on the 22*d* of *June* laſt, *That the Freedom of this Parliament is no better than that thoſe Members, who ſhall according to their Conſciences endeavour to prevent a War, and act contrary to their Ways; who (for their own Preſervation) intend it, they muſt do it with the Hazard of their Lives:* Which being a good Reaſon for thoſe lately to go to St. *Albans* or *Hounſlow-heath*, cannot be thought leſs juſtifiable for the other to go to *Oxford*.

Decl. and Papers of the Army, p. 53.

SINCE this Objection of calling the Members of Parliament to *Oxford* is not of Weight enough to give any Advantage againſt his Majeſty to his Enemies, they endeavour to make their Entertainment and Uſage there very reproachful with his Friends, and would perſuade them to believe themſelves derided in that Expreſſion of the Kings in a Letter to the Queen, where he calls them a *Mungrel Parliament*, by which they infer, what Reward his own Party muſt expect, when they have done their utmoſt to ſhipwrack their Faith and Conſcience to his Will and Tyranny.

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INDEED, they who *ſhipwrack their Faith and Conſcience*, have no Reaſon to expect Reward from the King, but thoſe Lords and Gentlemen who attended his Majeſty in that Convention well know, that never King receiv'd Advice from his Parliament with more Grace and Candor, than his Majeſty did from them; and their Conſciences are too good to think themſelves concern'd in that Expreſſion, if his Majeſty had not himſelf taken the Pains to declare to what Party it related; beſides, it is well known, that ſome who appear'd there with great Profeſſions of Loyalty, were but Spies, and ſhortly after betray'd his Majeſty's Service, as Sir *John Price* and others in *Wales*, and ſome ſince have alledg'd in the Houſe of Commons, or before the Committee for their Defence, to the Charge of being at *Oxford* at that Aſſembly, *That they did the Parliament more Service there, than they could have done at* Weſtminſter: So that the KING had great Reaſon to think he had many Mungrels there.

The 23d. and laſt Charge.

XXIII. THE laſt Charge is the making a *Pacification in* Ireland; and ſince that a Peace; and granting a Commiſſion to bring over *ten Thouſand* Iriſh *to ſubdue the Parliament, and the rebellious City of* London, and the *Conditions* of that Peace.

THAT loud Clamour againſt the Ceſſation in *Ireland*, was ſo fully and clearly anſwer'd by the King's Commiſſioners at the Treaty at *Uxbridge*,

bridge, that there can no Scruple remain with any, who have taken the Pains to read the Tranſactions in that Treaty; it plainly appears, that the King could not be induc'd to conſent to that Ceſſation, till it was evident that his Proteſtant Subjects in that Kingdom could not be any other Way preſerv'd; the Lords Juſtices and Council of that Kingdom, ſignify'd to the Speaker of the Houſe of Commons, by their Letter of the 4th of *April* (which was above ſix Months before the Ceſſation) *That his Majeſty's Army and good Subjects there, were in Danger to be devour'd for want of needful Supplies out of* England, *and that his Majeſty's Forces were of Neceſſity ſent abroad, to try what might be done for ſuſtaining them in the Country, to keep them alive till Supplies ſhould get to them, but that Deſign failing them, thoſe, their Hopes were converted into Aſtoniſhment, to behold the Miſeries of the Officers and Soldiers for want of all Things, and all thoſe Wants made inſupportable in the want of Food, and divers Commanders and Officers declaring they had little Hopes to be ſupply'd by the Parliament, preſſed with ſo great Importunity to be permitted to depart the Kingdom, as that it would be extream Difficult to keep them there*; and in another Part of that Letter, they expreſs'd, that *they were expelling thence all Strangers, and and muſt inſtantly ſend away for* England *Thouſands of poor diſpoyl'd* Engliſh, *whoſe very eating was then inſupportable to that Place, that their Confuſions would not admit the writing of many*

Relat. of the Treaty, p. 141.

more Letters, if any, (for they had written divers others, expreſſing their great Neceſſities:) *And to the End his Majeſty and the* Engliſh *Nation, might not irrecoverably and unavoidably ſuffer, they did deſire, that then, (though it were almoſt at the Point to be too late) Supplies of Victuals and Ammunition in preſent, might be haſten'd thither to keep Life, until the reſt might follow, there being no Victuals in the Store, nor a hundred Barrels of Powder (a ſmall Proportion to defend a Kingdom) left in the Store, when the Out-Garriſons were ſuppli'd, and that Remainder, according to the uſual Neceſſary Expence, beſides extraordinary Accidents, would not laſt above a Month*; and in that Letter, they ſent a Paper ſign'd by ſundry Officers of the Army deliver'd to them, as they were ready to ſign that Diſpatch, and by them apprehended to threaten imminent Danger; which mentioned, That *they were brought to that great Exigent, that they were ready to rob and ſpoil one another, that their Wants began to make them deſperate: That if the Lords Juſtices and Council there, did not find a ſpeedy Way for their Preſervation, they did deſire that they might have Leave to go away; That if that were not granted, they muſt have recourſe to the Law of Nature, which teacheth all Men to preſerve themſelves.*

THE two Houſes, who had undertaken to carry on that War, and receiv'd all the Money raiſed for that Service, neglecting ſtill to ſend Supplies thither; the Lords Juſtices, and Coun-

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cil, by their Letters about the middle of *May*, advertiſed the King, *That they had no Victuals, Clothes, or other Proviſions, no Money to provide them of any Thing they want; no Arms, not above forty Barrels of Powder; no Strength of ſerviceable Horſe; no viſible Means by Sea or Land, of being able to preſerve that Kingdom.* And by others of the 4th of *July*, *That his Armies would be forced, through Wants, to diſband or depart the Kingdom, and that there would be nothing to be expected there, but the inſtant Loſs of the Kingdom, and the Deſtruction of the Remnant of his good Subjects yet left there.* Col. Ord. 2 vol. P. 344.

THIS was the Condition of that miſerable Kingdom, to whoſe Aſſiſtance his Majeſty was in no Degree (of himſelf) able to contribute; and his Recommendation and Interpoſition to the two Houſes, whom he had truſted, was ſo much contemned, that when upon their Order to iſſue out, at one Time, *one hundred thouſand pounds* of the Monies paid for *Ireland*, to the Supply of the Forces under the Earl of *Eſſex*, (albeit it was Enacted by the Law, upon which thoſe Monies were raiſed, *That no Part of it ſhould be employ'd to any other Purpoſe than the reducing the Rebels of* Ireland.) His Majeſty, by a ſpecial Meſſage, adviſ'd and requir'd them to retract that Order, and to diſpoſe the Monies the right Way, the Neceſſities of *Ireland* being then paſſionately repreſented by thoſe upon the Place, they return'd no other Satisfaction or Anſwer to his Majeſty, but a

Ex. Col. p. 570. Declaration, *That thoſe Directions given his Majeſty for the retracting of that Order, was a high Breach of Privilege of Parliament.*

WHEN his Majeſty perceived that no Aſſiſtance was, or was like to be apply'd to them, and that the Enemy ſtill increas'd in Strength and Power, he referred the Conſideration and Proviſion for themſelves, to thoſe, whoſe Safeties and Livelyhoods were moſt immediately concerned, and who were the neareſt Witneſſes of the Diſtreſſes, and the beſt Judges, how they could be borne, or how they were like to be relieved; and ſo with the full Advice and Approbation of the Lords Juſtices and Council there, and concurrent Opinion of all the Chief Officers of the Army, that Ceſſation was made, by which only the Proteſtants in that Kingdom, and his Majeſty's Intereſt there, could, at that Time have been preſerved.

OF this Ceſſation, neither his Majeſty's good Subjects in that or this Kingdom, have Reaſon to complain. Examine now the Peace, which, they ſay, was afterwards made, on ſuch odious, ſhameful, and unworthy Conditions, that his Majeſty himſelf bluſhed to own; or impart to his own Lieutenant the Earl of *Ormond*, but a private Commiſſion was made to the Lord *Herbert* to manage it.

WHILST the King had any Hope of a tolerable Peace in This, or a probable Way of carrying on the War in That Kingdom, he never gave a Commiſſion to conclude a Peace there;

there; and it plainly appears by the Relation of the Treaty at *Uxbridge*, (to the Truth of which there hath not been the leaſt Objection) the Acts of the Commiſſioners of both Sides being extant, that there was no Expedient propoſed (though deſired often on the King's Part) for the proceeding in that War, but that his Majeſty would quit abſolutely all his Regal Power in that Kingdom, and ſo put all his Subjects there (*Engliſh* and *Iriſh*) out of his Protection, into that of the two Houſes of Parliament here, who, at the ſame Time were fighting for the ſame Supremacy in this, and who had, at the ſame Time, diſpoſed a greater Power thereof to the *Scots*, than they reſerved to themſelves; it concerned the King then in Piety and Policy, in his Duty to God and Man, to endeavour to preſerve that Kingdom by a Peace, which he could not reduce by a War, and to draw from thence ſuch a Body and Number of his own Subjects, as might render him more conſiderable to thoſe, who, having put off all natural Allegiance, and Reverence to his Majeſty, looked only what Power and Strength, and not what Right he had left.

THE Peace that was concluded, was upon ſuch Terms and Conditions, as were in that Conjuncture of Time Juſt and Honourable; and when it could not be continued without yielding to more ſhameful and leſs worthy Conditions, the Marquiſs of *Ormond*, his Maje-

ſty's Lieutenant of that Kingdom, (who had the ſole and intire Authority from his Majeſty to conclude a Peace, and againſt whom all their Envy, and all their Malice, hath not been able to make the leaſt Objection) beſt knowing his Maſter's Mind, choſe rather to make no Peace, and to truſt Providence with his Majeſty's Rights than to conſent to ſuch Propoſitions; nor had the Lord *Herbert* ever any Commiſſion to make a Peace there, but being a Person, whoſe Loyalty and Affection to his Service, the King had no Reaſon to ſuſpect, and being of the ſame Religion with the Enemy, might have ſome influence upon them, was qualify'd with ſuch a Teſtimony, as might give him the more Credit amongſt them, to perſuade them to Reaſon: His Reſtraint and Commitment was very real by the whole Council-Board there, though when it appeared that his Errors had proceeded from Unskilfulneſs and Unadviſedneſs, and not from Malice, he was afterwards enlarged by the ſame Power.

THE unnatural Concluſions and Inferences theſe Men make from what the King hath ſaid or done, applying Actions done lately, to Words ſpoken ſeven Years before, cannot caſt any Blemiſh upon the King's Religion, which ſhines with the ſame Luſtre in him, as it did in the Primitive Martyrs; and even thoſe Letters taken at *Nazeby*, (which no wiſe Rebel, or gallant Enemy would have publiſh'd) will, to Poſterity, appear as great Monuments of his Zeal

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to the true Proteſtant Religion, in thoſe Straits in which he was driven by thoſe who profeſſed that Religion, as any Prince hath left, or have been left by any Prince ſince Chriſtianity was embraced: And if that Religion ſhould proſper with leſs Vigour, than it hath done, and the Chriſtian and Pagan World have leſs Reverence towards it, than they have had, theſe Reformers may juſtly challenge to themſelves, the Honour and Glory of that Declenſion, and triumph in the Reproaches they have brought upon the moſt Orthodox Church, that hath flouriſhed in any Age ſince the Apoſtles Time.

THESE Charges and Reproaches upon the King, which have been now particularly examin'd and anſwer'd, and of which the World may judge, are aggravated by the King's ſo often refuſing their Addreſſes for Peace; the Truth of which Suggeſtions (though, for Method ſake, the Order of their Declaration hath been inverted) muſt be now conſidered, and all of that Kind, which is ſcattered and diſ-jointed in the Declaration, ſhall, for the ſame Method ſake, be gathered together and reſolved; and in this Argument they ſeem to think, they are ſo much upon the advantage Ground, that they are rather to make an Apology to the World, for having ſo often made Addreſſes to their King, than for reſolving to do ſo no more; that is, for enduring ſo long to be Subjects, than for reſolving hereafter to be ſo no more.

The King's several Meſſages, and their Propoſitions and Addreſſes for Peace.

THE Truth is, they never yet made any one Addreſs for Peace; only ſometimes offer'd to receive his Crown, if his Majeſty would give it up to them, without putting them to fight more for it, for other Senſe or Interpretation, no Propoſitions yet ever ſent to him can bear; and whereas they ſay, *they muſt not be ſo unthankful to God, as to forget they were never forced to any Treaty*, it is affirm'd, that there are not ſix Members, who concur in this Declaration, who ever gave their Conſent to any Treaty, that hath yet been, but when they were forc'd by the major Part to conſent to it, they were ſo unthankful to God for the Opportunity of reſtoring a bleſſed Peace to their Country, that they framed ſuch Propoſitions, and clogged their Commiſſioners with ſuch Inſtructions, as made any Agreement impoſſible.

THOUGH no Arithmetick, but their own can reckon thoſe *Seven times*, in which they have made ſuch Applications to the King, and tendred ſuch Propoſitions, *that might Occaſion the World to judge, they had not only yielded up their Wills and Affections, but their Reaſon alſo, and Judgment, for obtaining a true Peace and Accommodation*; yet it will be no hard Matter with Brevity to recollect the Overtures which have been made on both Sides, and thence it may beſt appear whether the *King never yet offer'd any Thing fit for them to receive, or would accept of any Tender fit for them to make.*

P. 7.

WHAT

WHAT Propoſitions were made by them to prevent the War, need not be remembered, who ever reads the *Ninteen* ſent to him to *York*, will ſcarce be able to name one Soveraign Power, that was not there demanded from him; nor can they now make him leſs a King, than he ſhould have been, if he had conſented to thoſe.

AFTER his Standard was ſet up, and by that his Majeſty had ſhewed that he would not tamely be ſtripped of his Royal Power without doing his beſt to defend it, he ſent a Meſſage before Blood was yet drawn from *Nottingham*, *to deſire that ſome fit Perſons might be inabled by them, to treat with the like Number to be authorized by his Majeſty, in ſuch a Manner, and with ſuch Freedom of Debate, as might beſt tend to that happy Concluſion, which all good Men deſired, The Peace of the Kingdom*; to which gracious Overture from his Majeſty, the Anſwer was, *that until the King called in his Proclamations and Declarations, and took down his Standard, they could give him no Anſwer.* Ex. Col. P. 579. Page 580.

AND at the ſame Time publiſhed a Declaration to the Kingdom, *that they would not lay down their Arms, untill the King ſhould withdraw his Protection from all ſuch Perſons as had been voted by both Houſes to be Delinquents, or ſhould be voted to be ſuch, that their Eſtates might be diſpoſed to the defraying of the Charges the Common-wealth had been put to*; and who they meant by thoſe Delinquets, they had in a Ex. Col.

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former Declaration to the Inhabitants of *Yorkſhire* expreſſed, *that all Perſons ſhould have Reparation out of the Eſtates of all ſuch Perſons in any part of the Kingdom whatſoever, who had withdrawn themſelves to* York, *and ſhould perſiſt to ſerve the King, &c.* This was one of their Applications, in which they had yeilded up their Wills and Affections, and their Reaſon and Judgment for obtaining Peace.

Pag. 9. THEY ſay, they have Cauſe to remember that *the King ſometimes denied to receive their humble Petitions for Peace:* the which they had rather ſhould be believed in groſs, than trouble themſelves with ſetting down the Time, and Manner when it was done; but out of their former Writings it is no hard Matter to gueſs what they mean: When the KING was at *Shrewsbury*, and the Earl of *Eſſex* at *Worceſter* towards the end of *September*, 1642. the two Houſes ſent a Petition to their General, to be preſented to his Majeſty in ſome ſafe and honourable Way, in which Petition they moſt humbly beſought his Majeſty, *to withdraw his Perſon from his own Army, and to leave them to be ſuppreſſed by that Power, which they had ſent againſt them, and that he would in Peace and Safety without his Forces return to his Parliament.*

Ex. Col. P. 632.

The Earl of *Eſſex* by Letter to the Earl of *Dorſet*, who then attended his Majeſty, intimated that he had a Petition from both Houſes to be delivered to his Majeſty, and for that Purpoſe deſired a ſafe Conduct for thoſe, who ſhould

ſhould be ſent with it: The Earl of *Dorſet* (by his Majeſty's Command) returned Anſwer, *That as he had never refuſed to receive any Petition from his Houſes of Parliament, ſo he ſhould be ready to give ſuch a Reception and Anſwer to this as ſhould be fit, and that the Bringers of it ſhould come and go with Safety, only he required that none of thoſe Perſons, whom he had particularly accuſed of High Treaſon (which at that Time were very few) ſhould by Colour of that Petition be imployed to his Majeſty:* This Anſwer was declared to be a Breach of Priviledge, and ſo that Petition, which (as his Majeſty ſays in his Anſwer to the Declaration of the 22*d* of *October*) *was fitter to be delivered after a Battle and Conqueſt of him, then in the Head of his Army, when it might ſeem ſomewhat in his Power whether he would be diſpoſed or no*, was never delivered to his Majeſty, and this is the Petition which they now ſay he ſometimes denied to receive. Ex. Col. p. 699.

THEY ſay that *when they deſired him to appoint a place for a Commitee of both Houſes to attend his Majeſty with Propoſitions for Peace, he named* Windſor, *promiſing to abide thereabouts till they came to him, but preſently marched forward ſo near* London, *that he had almoſt ſurprized it, whilſt he had ſo engaged himſelf for a Treaty.*

THIS likewiſe refers to the Petition ſent to his Majeſty at *Colebrooke*; and all the Circumſtances were fully anſwered by his Majeſty in his

Ex. Col. p. 745. his Declaration upon that Occaſion, when this Aſperſion was firſt unreaſonably caſt upon him; It is true, after the Battle at *Edge-hill*, when they could no longer perſuade their Friends of the City, that the King's Forces were ſcattered, and their Army in purſuit of him, but in ſtead thereof, they had Pregnant Evidence, that his Majeſty's Army was marching towards them, and was poſſeſſed of *Reading*, whilſt the Earl of *Eſſex* continued ſtill at or about *Warwick*, on the 2*d* of *November*, they reſolved to ſend an Overture to his Majeſty concerning Peace; and though it muſt not be ſaid they were forced to that Addreſs, yet truly who ever reads that Petition which was brought to his Majeſty to *Colebrook*, will be of Opinion by the Stile of it, that they were fuller of Fear or of Duty than they were when they rejected his Majeſty's Offer from *Nottingham*, or than they were ten Days after, or ever ſince: That Petition was anſwered with all imaginable Candor by his Majeſty; and *Windſor* choſen if they would remove their Garriſon out of it, for the Place of Treaty: But when the Meſſengers were returned, who made not the leaſt Mention of a Ceſſation, it appeared by ſure Intelligence that the Earl of *Eſſex*, who had the Night before brought his Army to or near *London*, after thoſe Meſſengers were diſpatched to his Majeſty, had drawn a great part of his Forces, and the *London* Train-Bands towards his Majeſty, and ſent others to *Acton* on the one ſide, and

King-

Kingſton on the other; ſo that there being likewiſe a Garriſon at *Windſor*, if the King had ſtaid at *Colebrooke* he had been inſenſibly hemmed in, and ſurrounded by the Enemy; whereupon he took a ſudden Reſolution to advance to *Branford*, thereby to compel them to draw their Body together; and ſo making his Way through that Town with the defeat of a Regiment or two which made Reſiſtance there, and thereby cauſing thoſe at *Kingſton* to remove, the King went to his own Houſe at *Hampton Court*, and having there in vain expected the Commiſſioners from the Houſes to treat, retired to *Reading*, where he ſtaid, till he found they had given over all Thought of Treaty, and they ſent him a new ſcornful Petition, *to return to his Parliament with his Royal, not his Martial Attendance.*

In *January* following the Importunity of the City of *London*, and general Clamour of the People forced them to pretend an Inclination to Peace; and ſo they ſent Propoſitions to his his Majeſty, which though but 14 in number, contained the whole Matter of the former 19. with an Addition of ſome Bills ready paſſed the two Houſes, to which his Royal Aſſent was demanded, one of which was for the Extirpation and Eradication of the whole Frame of Church-Government; and another for the Confirming an Aſſembly of ſuch Divines as they had choſen, to deviſe a new Government,

which

which they were ſo much the fitter to be truſted with, becauſe in the whole Number, (which conſiſted of above one Hundred, and might be increaſed as they thought fit) there were not above a dozen, who were not already declared Enemies to the Old, to the which, notwithſtanding there were few of them who had not ſubſcrib'd, and a Promiſe requir'd from his Majeſty, *That he would give his Aſſent to all ſuch Bills which the two Houſes ſhould hereafter preſent to him, upon Conſultation with that Aſſembly.*

How extravagant ſoever theſe Propoſitions were, the King ſo much ſubdu'd and ſuppreſs'd his Princely Indignation, that he drew them to a Treaty even upon thoſe Propoſitions, expecting, (as he expreſs'd in his Anſwer, when he propos'd the Treaty) *That ſuch of them as appear'd derogatory from, and deſtructive to his juſt* Power *and* Prerogative, *ſhould be waved, and many other Things that were dark and doubtful in them, might be clear'd and explain'd upon Debate*; and concluding, that if they would conſent to a Treaty, *they would likewiſe give ſuch Authority and Power of Reaſoning to thoſe, whom they ſhould truſt, that they might either give or take Satisfaction upon thoſe Principles of Piety, Honour and Juſtice, as both Sides avowed, their being govern'd by.*

Col. Ord. 2 vol. p. 52.

How that Treaty was manag'd, how their Commiſſioners were limited and bound up by their Inſtructions, that they had no Power to recede

recede from the leaſt Material Tittle of the Propoſitions upon which they treated; how they were not ſuffer'd to ſtay one Hour beyond the Time firſt aſſign'd to them, albeit his Majeſty earneſtly deſir'd the Treaty might be continu'd, till he had receiv'd an Anſwer to Propoſitions of his own, which he had ſent to the Houſes, becauſe the Committee had no Power to anſwer them; and how the ſame Day their Commiſſioners left *Oxford*, the Earl of *Eſſex* marched with his whole Army to beſiege *Reading*, is known to all Men, who may conclude thereupon, that they never intended that Treaty ſhould produce a Peace.

ON the other Side, the King propoſed only, *That his Ships might be reſtor'd to him, and his Caſtles and Revenue, which, by the Confeſſion of all, had been violently taken from him; and that his Majeſty and the Members of both Houſes, who had been driven from* Weſtminſter, *might either return thither, upon ſuch a Proviſion as might ſecure them againſt Tumults for the future; or that the Parliament might be adjourn'd to ſome ſafe Place, and ſo all Armies preſently to be disbanded:* To which Propoſition from his Majeſty, they never vouchſafed to return Anſwer, and the King, after he had above a Month in vain expected it from them; and in that Time receiv'd a good Supply of Ammunition, which he was before thought to want, ſent another Meſſage by Mr. *Alexander Hambden*, on the 19th of *May*, 1643. in which he told them, *That*

when

Col. Ord. 2 vol. p. 181. *when he conſider'd that the Scene of all the Calamity was in the Bowels of his own Kingdom, that all the Blood that was ſpilt was of his own Subjects; and that what Victory it ſhould pleaſe God to give him, muſt be over thoſe who ought not to have lifted up their Hands againſt him; when he conſider'd that thoſe deſperate Civil Diſſentions, might encourage and invite a Foreign Enemy to make a Prey of the whole Nation: That* Ireland *was in preſent Danger to be loſt: That the heavy Judgment of God,* Plague, Peſtilence *and* Famine *would be the inevitable Attendants of this unnatural Contention; and that in a ſhort Time, there would be ſo general a Habit of Uncharitableneſs and Cruelty contracted throughout the Kingdom, that even* Peace *itſelf would not reſtore his People to their old Temper and Security; his Majeſty could not ſuffer himſelf to be diſcourag'd, tho' he had receiv'd no Anſwer to his former Meſſage, but by this did again, with much Earneſtneſs, deſire them to conſider what he had before offer'd, which gave ſo fair a riſe to End thoſe unnatural Diſtractions*

THIS moſt gracious Meſſage from the King, met with ſo much worſe Entertainment and Succeſs than for the former, as it was not only ever anſwer'd, but the Meſſenger likewiſe (being a Gentleman of Quality and ſingular Integrity) tho' he was civilly receiv'd by the Houſe of Lords, to whom he was directed, was by the Houſe of Commons apprehended and impriſon'd, and never after freed from his Reſtraint,

ſtraint, till he ended his Life, after a long and conſuming Sickneſs.

This is the Meſſenger they mean, who (to excuſe their Inhumanity and Cruelty towards him) they ſay, *at the ſame Time he brought a ſpecious Meſſage of renewing a Treaty, was inſtructed how to manage that bloody Maſſacre in* London, *which was then deſign'd by vertue of the King's Commiſſion, ſince publiſh'd.* p. 10.

BEFORE any Thing be ſaid of that Plot, it is known, that Gentleman was impriſon'd many Days before there was any mention of a Plot; and the Houſe of Peers ſolemnly expoſtulated the Injury done to them in it, and in vain requir'd his Enlargement, which they would not have done, if there had been any other Objection againſt him, than the coming without a Paſs from their General, which was never underſtood to be requiſite, till the Houſe of Commons very few Days before declar'd it to be ſo, albeit themſelves ſent Meſſengers to the King without ever demanding a Paſs.

NOW to the Plot itſelf: They have indeed publiſh'd a Narration of that Plot, which ſerved their Turn barbarouſly to put two very honeſt Men to death, and to undo very many more; and it is very probable they made that Relation as full and clear, as their Evidence enabl'd them to do, and yet whoever reads it, cannot conclude reaſonably, that there was ever more in it than a Communion between honeſt Men, of good Reputation and Fortunes, Col. Ord. 2 vol. p. 199.

and desirous of Peace, how they might be able to discountenance that disorderly Rabble, which upon all Occasions protested against Peace, by appearing as strong and considerable in Numbers as they, and which certainly ought to have found as great Countenance and Encouragement from the Parliament as the other; these Discourses produc'd a Disquisition of the general Affections of the City, and that a more particular Computation and Estimate of the Inclinations of particular Men, and so mention of several Things, which in such and such Cases would be necessary to be done; and these Discourses being, by the Treachery of a Servant, discover'd to those who could compound Plots and Conspiracies out of any Ingredients, they joyn'd those and a Commission they had likewise met with, together, and so shaped a Conspiracy, that they us'd as a Scare-crow to drive away any avow'd and publick Inclinations for Peace, the pressing whereof at that Time, was like to prove Inconvenient to them; but those Discourses, and that Commission, had not the least Relation to each other, nor was there one Man, who was accused of, or privy to those Discourses, whose Name was in that Commission, or indeed privy to it, which had been issued out a good time before, and was to have been made use of (being no other than a fair legal Commission of Array in *English*) if the King's Motion with his Army towards those Parts, gave the People so much Courage to appear

for

for him; nor can there be a ſober Objection againſt the King's granting ſuch a Commiſſion, when they had their Ordinances ready upon all Occaſions, to be executed in the King's Quarters, and had named Commiſſioners for that Purpoſe in all the Counties of the Kingdom.

BUT to proceed, in the Overtures for Peace, from the End of the Treaty at *Oxford*, which was in *April*, 1643. they never made one Overture or Addreſs to his Majeſty towards Peace, till the End of *November*, 1644. in the mean Time, what Approaches the King made towards it muſt be remember'd: After the taking of *Briſtol*, when his Majeſty's Strength and Power was viſible, and confeſſed in the *Weſt*, and in the *North*, and the Enemies Condition apparently low, and in many of their Opinions even deſperate; the King, albeit his laſt Meſſenger was ſtill in Priſon, and no Anſwer to his Meſſages, by his Declaration of the 30th of *June*, again renew'd all the Profeſſions and Offers he had before made, and told them, *That Revenge and Blood-thirſtineſs had never been imputed to his Majeſty by thoſe, who had neither left his Government or Nature unexamin'd with the greateſt Boldneſs and Malice, and therefore beſought them to return to their Allegiance:* What paſſed from his Majeſty himſelf, and from the Lords and Commons at *Oxford*, in *March* following, and with what Importunity they deſir'd there might be a Treaty, by which ſome Ways and Means might be found, how a Peace might

be procur'd, and how peremptorily and disdainfully they rejected that Desire in their Answer to his Majesty of the 9th of *March*, because the greatest, and the greatest Number of the Peers of the Kingdom, and the greatest Part of the House of Commons, then with his Majesty at *Oxford*, seemed by him to be put in an equal Condition with them at *Westminster*, tho' they had been content, since, to put the Officers of the Army into, at least an equal Condition with them, by treating with them, is to be seen and read, and needs no Repetition.

Col. Ord. 2 vol. p. 415.

In *July* following, which was in the Year 1644. after he had routed the best Part of Sir *William Waller*'s Army, and taken his Cannon, his Majesty sent from *Evesham*, another Message to the two Houses, to desire them, *that there might yet be a Cessation, and that some Persons might be sent to him with any Propositions that might be for the Good of his People, and he would condescend to them:* To which they never return'd Answer.

Two Months after, on the 8th of *September*, when he had totally defeated the Army of the Earl of *Essex* in *Cornwall*, taken all their Cannon, Arms and Baggage; the King again sent to them, *That the extraordinary Success with which God had blessed him in so eminent a manner, brought him no Joy for any other Consideration, than for the Hopes he had, that it might be a Means to make others to lay to Heart, as he did, the Miseries brought and continu'd upon*

upon this Kingdom by this unnatural War, and that it might open their Ears, and diſpoſe their Minds to embrace thoſe Offers of Peace and Reconciliation, which had been ſo often, and ſo earneſtly made unto them by him, and from the conſtant and fervent Endeavours of which he reſolved never to deſiſt, And ſo *conjured them to conſider his laſt Meſſage, and to ſend him an Anſwer:* To this Meſſage likewiſe, they never ſent Anſwer: And theſe were *the Tenders* made by his Majeſty, which, they ſay, *were never fit for them to receive*; we ſhall now proceed to thoſe they thought fit to offer, and accuſe his Majeſty for not accepting.

ON the 23d of *November*, 1644. the Committee from the two Houſes brought the Propoſitions to the King, which, they ſay, were agreed on by the Parliaments of both Kingdoms, not only as juſt, but neceſſary alſo for the very Being of theſe Kingdoms in a ſettled Peace and Safety: And which requir'd his Majeſty to reſign up all his Regal Power in his three Kingdoms, to thoſe who ſent thoſe Propoſitions; to take their Covenant, and enjoyn all others to take it; and to ſacrifice all his own Party (who had ſerved him honeſtly and faithfully) to the Fury and Appetite of thoſe, who had caſt off their Allegiance to him, and to leave himſelf the meer empty Name of a King.

HOW the twenty Days were afterwards ſpent at *Uxbridge*, is publiſh'd to the World, in which the laſt Obſervation made by the

King's Commiſſioners muſt not be forgotten,

Relat. Treat. p. 175. *That after a War of near four Years, for which, the Defence of the Proteſtant Religion, the Liberty and Property of the Subject, and the Priviledges of the Parliament, were made the Cauſe and Grounds, in a Treaty of twenty Days, nor indeed upon the whole Propoſitions upon which the Treaty ſhould be, there hath been nothing offer'd to be treated concerning the breach of any Law, or of the* Liberty *or* Property *of the Subject, or* Priviledge *of* Parliament, *but only Propoſitions for the altering a Government eſtabliſhed by Law, and for the making new Laws, by which almoſt all the old are, or may be cancell'd; and there hath been nothing inſiſted on of the King's Part, which is not Law, or deny'd by the King's Commiſſioners that the other requir'd, as due by Law.*

Pag. 10. FOR the *Proteſtation*, which they ſay, *was entered* (about the Time of this Treaty) *in the Council-Book*, and of which his Majeſty gave the *Queen* an Account; it is known to be no other than a Declaration, that by calling them *a Parliament*, there could be no Acknowledgment inferred, that he eſteemed them a free Parliament, which few, at that Time, did believe them to be; and they have ſince, upon as ſmall Reaſons, confeſſed themſelves not to be.

p. 8. THEY alledge, as a wonderful Teſtimony of their Meekneſs and good Nature, *That after his Majeſty's Armies were all broken, ſo that,*

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in disguise, he fled from Oxford *to the* Scots *at* Newark, *and from thence went to* Newcastle, *they tendred to him at* Newcastle, *and afterwards, when the* Scots *had left him to the Commissioners of Parliament, at* Hampton-Court, *still the same Propositions in effect, which had been presented before, in the midst of all his Strength and Forces:* Which is rather an Argument that they had at first made them as bad as possibly they could, than that they were good since; and (considering the Natures of these Declarers) there cannot be a more pregnant Evidence of the Illness and Vileness of those Propositions, than that they have not made them worse; nor is the Condition in which they have now impiously put his Majesty for his Refusal, worse, than it had been, or would be (his Personal Liberty only excepted) if he consented to them; and in one Consideration it is much better, because it is now a confessed Act of Violence and Treason upon him, which if he once consent to their Propositions, they will (when ever they find Occasion) appear legally qualify'd to do the same.

THEY have once again, out of their Desire of his Majesty's Concurrence, descended to one other Address to him, and they said, they did *so qualify the said Propositions, that where it might stand with the publick Safety, his Majesty's wonted Scruples and Objections were prevented or removed, and yielded to a Personal Treaty, on Condition the King would sign but* p. 9.

four Bills, which they judged not only Juſt and Honourable, but neceſſary even for preſent Peace and Safety during ſuch a Treaty; and upon his Denial of theſe, they are in Deſpair of any Good by Addreſſes to the King, neither muſt they be ſo Injurious to the People, in further delaying their Settlement, as any more to preſs his Conſent, to theſe or any other Propoſitions.

WHAT the former Propoſitions and Addreſſes to his Majeſty have been, and how impoſſible it hath been for him to conſent to them with his Conſcience, Honour, or Safety, appears before; and how inconvenient it would have been to the Kingdom if he had done it; they themſelves have declar'd, by making ſuch important Alterations, in reſpect to the *Engliſh* Intereſt in thoſe preſented at *Newcaſtle*, from the other treated on at *Uxbridge*; it will be fit therefore to examine theſe four Bills which were to be the Condition of the Treaty.

Their four Bills preſented to his Majeſty at Carisbrook Caſtle.

ONE of theſe Bills is, *to diveſt his Majeſty and his Poſterity for ever of any Power over the Militia*, and to transfer this Right, and more than ever was in the Crown, to theſe Men, who keep him Priſoner, for it is in their Power whether they will ever conſent that it ſhall be in any other; and *to give them Power to raiſe what Forces they pleaſe, and what Money they think fit upon his Subjects; and by any Ways or Means they appoint*, and ſo frankly exclude himſelf from any Power in the making Laws.

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THERE need no other Answer, why it is not fit or possible for the King to consent to this, than what the Commissioners from *Scotland* gave to the Houses, when they declared their dissent; *If the Crowns have no Power of the Militia, how can they be able to resist their Enemies, and the Enemies of the Kingdoms, protect their Subjects, or keep Friendship or Correspondence with their Allies? All Kings by their Royal Office and Oath of Coronation are obliged to protect their Laws and Subjects; it were strange then to seclude the Crown for ever from the Power of doing that, which by the Oath of Coronation they are obliged to perform, and the Obedience whereunto falleth within the Oath of Allegiance; and certainly if the King and his Posterity shall have no Power in making Laws, nor in the Militia, it roots up the strongest Foundation of Honour and Safety which the Crown affords, and will be interpreted in the Eyes of the World, to be a wresting of the Scepter and Sword out of their Hands.* Answ. Sc. Com. p. 20.

NOR can this just and honourable Assertion be answered and envaded by saying, *that the Militia was the principal immediate Ground of their Quarrel, in Order to the Preservation of Religion, and the just Rights and Liberties of the People; and that the* Scots *Commissioners have often agreed with them in it, and that the Kingdom of* Scotland *fought together with them for it and upon the Ground thereof; and that now they argue* Decl. concerning the Scots Papers, p. 68.

argue againſt their injoying it almoſt in the very ſame Words, as the King did at the beginning of the War in His Declarations.

It is no wonder, that what theſe Men have done, and the horrid Confuſion they have made, have evinced many Truths, which appeared not ſo manifeſt to all Underſtandings by what the King ſaid, or that they have not ſo good an Opinion of thoſe, who tell them *that there is another and a more natural Way to Peace, and to the ending the War, than by Agreement, namely by Conqueſt*; *as they had of them who with all imaginable Solemnity ſwore that they would ſincerely, really, and conſtantly endeavour with their Eſtates and Lives, mutually to preſerve and defend the King's Majeſty's Perſon, and Authority, in the Preſervation and Defence of the True Religion, and Liberties of the Kingdoms, that the World may bear Witneſs with their Conſciences of their Loyalty, and that they had no Thoughts or Intentions to diminiſh his Majeſty's Power and Greatneſs*, which Engagements might perſuade many, that their Purpoſes were other than they now appear to be.

Mart. Inde. p. 15.

3 Art. of the Covenant.

FOR that other Power, they require to raiſe what Moneys they pleaſe, and in what Way they pleaſe; all the People of *England* will ſay, that which the Army ſaid honeſtly in their Repreſentation agreed upon at *Newmarket* on the 4*th* and 5*th* of *June* againſt the Ordinance of Indempnity, *We ſhall be ſorry that our Relief ſhould be the Occaſion of ſetting up more Arbitra-*

Decl. and Papers of the Army, p. 31.

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ry Courts than there are already, with ſo large a Power of impriſoning any Free-Men of England *as this Bill gives, let the Perſons intruſted appear never ſo juſt and faithful.*

INDEED that is asked of his Majeſty by this Bill, which the King can neither give, nor they receive; the King cannot give away his Dominion, nor make his Subjects ſubject to any other Prince or Power than to that under which they were born; no Man believes that the King can transfer his Soveraign Power to the *French* King, or King of *Spain*, or to the States of the United Provinces; nor by the ſame Reaſon can he transfer it to the States at *Weſtminſter*. And the learned and wiſe *Grotius* (who will by no Means endure that Subjects ſhould take Arms againſt their Princes upon any ſpecious Pretences whatſoever) concludes, *Si rex tradere regnum, aut ſubjicere moliatur, quin ei reſiſti in hoc poſſit non dubito, aliud enim eſt imperium, aliud habendi modus, qui ne mutetur obſtare proteſt populus*; to the which he applies that of *Seneca*, *Etſi parendum in omnibus patri, in eo non parendum, quò efficitur ne pater ſit*; and it may be, this may be the only Caſe in which Subjects may take up defenſive Arms, that they may continue Subjects; for without doubt no King hath Power, not to be a King, becauſe by deveſting himſelf he gives away the Right which belongs to others, their Title to, and Intereſt in his Protection.

De jure bell. fol. 85.

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THE two Houſes themſelves ſeemed to be of this Opinion, when in their Declaration of the 27*th* of *May*, 1642. they ſaid, *the King by his Soveraignty is not enabled to deſtroy his People, but to protect and defend them; and the high Court of Parliament, and all other his Majeſty's Officers and Miniſters ought to be ſubſervient to that Power and Authority, which Law hath placed in his Majeſty to that Purpoſe, tho' he himſelf in his own Perſon ſhould neglect the ſame:* So that by their own Judgment and Confeſſion it is not in the King's Power to part with that, which they ask of him; and it is probable, if they could have prevailed with him to do it, they would before now have added it to his Charge, as the greateſt Breach of Truſt that ever King was guilty of.

Ex. Col. pag. 35.

THEY cannot receive what they ask, if the King would, give it; in the Journal of the Houſe of Commons, they will find a Proteſtation entred by themſelves in the third year of this King, when the Petition of Right was depending, in the debating whereof ſome Expreſſions had been uſed, which were capable of ill interpretation; *That they neither meant, nor had Power to hurt the King's Prerogative*: And the Lord Chief Juſtice *Coke*, in the fourth Part of his Inſtitutes, publiſhed by their Order ſince the beginning of this Parliament, ſays, *That it was declared in the* 42*d Year of King* Edward 3. *by the Lords and Commons in full Parliament that they could not aſſent to any Thing in Parliament*,

4 Part Inſtit. fol. 14.

ment, that tended to the diſheriſon of the King and his Crown, whereunto they were ſworn: And Judge *Hutton* in his Argument againſt Ship-Money, printed likewiſe by their Order ſince this Parliament, agrees expreſly, *That the Power of making War and Leagues, the Power of the Coin, and the Value of the Coines* (uſurped likewiſe by theſe Declarers) *and many other Monarchial Powers and Prerogatives, which to be taken away, were againſt natural Reaſon, and are Incidents ſo inſeparable, that they cannot be taken away by Parliament:* To which may be added the Authority of a more modern Author, who uſes to be of the moſt powerful Opinion, Mr. *Martin*, who ſays, *that the Parliament it ſelf hath not, in his humble Opinion, Authority enough to erect another Authority equal to it ſelf*; and theſe ambitious Men, who would impiouſly graſp the Soveraign Power into their Hands, may remember the Fate which attended that Ordinance in the Time of King *Henry* 3. to which that King *metu incarcerationis perpetuæ compulſus eſt conſentire*, and by which the Care and Government of the Kingdom was put into the Hands of four and twenty; how unſpeakable Miſeries befel the Kingdom thereby, and that in a ſhort Time, there grew ſo great Faction and Animoſity amongſt themſelves, that the major Part deſired the Ordinance might be repealed, and the King reſtored to his juſt Power; that they who refuſed came to miſerable Ends, and their Families were deſtroyed

pag 25, 26.

Mart. Inde: p. 27.

with

with them, and the Kingdom knew no Peace, Happineſs, or Quiet, till all Submiſſion and Acknowledgment, and Reparation was made to the King, and that they got moſt Reputation, who were moſt forward to return to their Duty, ſo that it is believed, if the King would transfer theſe Powers, tho' many Perſons of Honour and Fortune have been unhappily ſeduced into this Combination; that in Truth no one of thoſe would ſubmit to bear a Part of that inſupportable Burden, and that none would venture to act a Part in this Adminiſtration, but ſuch whoſe Names were ſcarce heard of, or Perſons known before theſe Diſtractions.

If the King ſhould conſent to another of their four Bills, he ſhould ſubvert the whole Foundations of Government, and leave Himſelf, Poſterity, and the Kingdom without Security, when the Fire, that now burns, is extinguiſhed, by making Rebellion, the legitimate Child of the Law; for if what theſe Men have done be lawful and juſt, and the Grounds upon which they have done it be juſtifiable, the like may be done again; and beſides this, he muſt acknowledge and declare all thoſe who have ſerved him faithfully, and out of the moſt abſtracted Conſiderations of Conſcience and Honour, to be wicked and guilty Men, and ſo render thoſe glorious Perſons, who have payed the full Debt they owed to his Majeſty and their Country, by looſing their Lives in his righteous Cauſe, and whoſe Memories muſt be kept freſh and pre-

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tious to ſucceeding Ages, Infamous after their Deaths, by declaring, that they did Ill, for the doing whereof, and the irreparable Prejudice that would accrue thereby to *Truth*, *Innocence*, *Honour* and *Juſtice*, all the Empires of the World would be a cheap and vile recompence.

NOR can this impoſſible Demand be made reaſonable by ſaying, *It would be a baſe and diſhonourable Thing for the Houſes of Parliament, being in that Condition they are, to have treated under the Gallows, to have treated as Traytors, their Cauſe being not juſtify'd, nor the Declarations againſt them, as Rebels recalled.* It would be a much more baſe and diſhonourable Thing, to renounce the Old and New Teſtament, and declare that they are not the Word of God; to cancel and overthrow all the Laws and Government of the Kingdom; all which muſt be done, before their Cauſe, or their Manner of maintaining their Cauſe can be juſtify'd: And if they were not perverſly blind to their own Intereſt, they would know and diſcern, that ſuch an Act is as pernicious to themſelves, as to Truth and Reaſon, their own Security depending on nothing more, than a Proviſion, that no others for the Time to come, ſhall do what they have done; nor can they enjoy any Thing, but on the Foundation of that Law they have endeavour'd to overthrow.

Decl. concerning the Scots *Papers*, p. 86.

THE King hath often offer'd an Act of Oblivion, which will cut down all Gallows, and wipe out all opprobrious Terms, and may make the

the very Memory and mention of Treaſon and Traytors, as penal, as the Crimes ought to have been; they who deſire more, ask Impoſſibilities, and that which would prove their own Deſtruction; and whoever requires their Cauſe to be juſtify'd, can have no Reaſon for doing it, but becauſe he knows it is not to be juſtify'd.

THE End of the third Bill is to *diſhonour thoſe* of his own Party, *whom he hath thought fit to honour*; *and to cancel thoſe Acts of Grace and Favour he vouchſafed them*, which is againſt all Reaſon and Juſtice, for if he had no Power to confer thoſe Honours, there needs no Act of Parliament to declare or make them void; if he had Power, there is no Reaſon why they ſhould be leſs Lords, upon whom he conferr'd that Honour the laſt Year, than thoſe he ſhall create the next: Nor is this Propoſition of the leaſt imaginable Moment to the Peace of the Kingdom, or Security of a Treaty; tho' it be of no leſs Concernment to his Majeſty, than the parting with one of the brighteſt Flowers in his Crown.

THE laſt Bill is *to give the two Houſes Power to adjourn, to what Place*, and at *what Time they pleaſe, which by the Act of Continuance, they cannot now do, without the King's Conſent, tho' there is no Reaſon they ſhould attribute more to his Perſon in that Particular, than they do in other Things*, to which his Aſſent is neceſſary, and if they do indeed believe, that his Regal Power is virtually

virtually in them, they may as well do this Act without him, as all the reſt have done.

THE King in his Meſſage of the 12th of *April*, 1643. rather intimated, than propounded the Adjournment of the Parliament to any Place twenty Miles from *London*, which the Houſes ſhould chuſe, as the beſt Expedient he could think of, for his own and their Security from thoſe tumultuous Aſſemblies which interrupted the Freedom thereof; to which, tho' they return'd no Anſwer to his Majeſty, yet in their Declaration after that Treaty at *Oxford*, they declar'd *the wonderful Inconveniency and Unreaſonableneſs of that Propoſition; the Inconveniences that would happen to ſuch Perſons that ſhould have Occaſion to attend the Parliament, by removing it ſo far from the Reſidency of the Ordinary Courts of Juſtice, and the Places where the Records of the Kingdom remain: That it would give a tacit Conſent to that high and dangerous Aſperſion of awing the Members of this Parliament, and it would give too much Countenance to thoſe unjuſt Aſperſions laid to the charge of the City of* London, *whoſe unexampled Zeal and Fidelity to the true Proteſtant Religion, and the Liberty of this Kingdom* (they ſaid) *is never to be forgotten, and that they were well aſſur'd, that the Loyalty of that City to his Majeſty, and their Affections to the Parliament, is ſuch, as doth equal, if not exceed any other Place or City in the Kingdom*; which Reaſons being as good now as they were then, the

Col. ord. 2 vol. P. 97.

King hath follow'd but their own Opinion in not consenting to this Bill.

In a Word: All the World cannot reply to his Majesty's own Answer upon the delivery of these four Bills, or justify their Proceeding, *That when his Majesty desires a Personal Treaty with them for the setling of a Peace, they in Answer propose, the very subject Matter of the most essential Part thereof to be first granted*; and therefore the King most prudently and magnanimously declares, *That neither the Desire of being freed from this tedious and irksome Condition of Life, he hath so long suffered, nor the apprehension of what may befall him, shall make him change his Resolution of not consenting to any Act, 'till the whole Peace be concluded*; for, in Truth, nothing is more evident, than that if he pass these Bills, he neither can be able to refuse any Thing else they shall propose, for he hath reserved no Title to any Power, nor can have Reason to do it; for having resign'd his choicest Regalities, it would be great improvidence to differ with them upon more petty Concessions; and having made all honest Men Guilty, he could not in Justice deny to refer the Punishment of them to those, who could best proportion it to the Crimes: So that a Treaty could afterwards be to no other End, than to finish his own Destruction with the greater Pomp and Solemnity; whereas the End of a Treaty is (and it can have no other) upon debate to be satisfy'd, *That he may lawfully grant what is desir'd, That it is for the Benefit*

Benefit of his People, that he ſhould grant it, how prejudicial ſoever it may ſeem to himſelf, and that being granted, *himſelf ſhall ſecurely enjoy what is left, how little ſoever it be, and that his Kingdom ſhall by ſuch his Conceſſions be intirely poſſeſſed of Peace and Quiet*; the laſt of which cannot be, (at leaſt his Majeſty hath great Reaſon to ſuſpect it may not) without the Conſent of the *Scots*, who peremptorily Proteſt againſt theſe Four Bills, and ſay that it is expreſly provided in the 8th Article, *That no Ceſſation nor any Pacification or Agreement for Peace whatſoever ſhall be made by either Kingdom, or the Armies of either Kingdom, without the mutual Advice and Conſent of both Kingdoms, or their Committees in that behalf appointed, which is neither Anſwer'd, or avoided, by ſaying, that no impartial Man can read that Article of the Treaty, but he muſt needs agree, that it could be meant only whilſt there was War, and Armies on both ſides in Being; and that it muſt of Neceſſity end, when the War is at an End*; for, beſides, that War is not, nor can be at an End, till there be an Agreement, (and if it be, why is there ſo great an Army kept up in the Kingdom?) By the ſame Reaſon that Article was ſo underſtood, as it is now urged by the *Scots* before their coming into the Kingdom, it may be ſo underſtood after they are gone; and that the Houſes themſelves did underſtand it ſo, in the beginning of *January* 1643. before the *Scots* Army entred, appears by a Declaration Mr. *St.*

Anſw. Sc. Com. p. 23

Decl. concerning the *Scots* Papers, p. 92.

Johns made at that Time in the Name of the Houſes (and printed by Order) to the City of *London* at *Guild-hall*, upon the diſcovery of a cunning Plot (as they ſaid) to divide and deſtroy the Parliament and the City of *London*, under the Notion of a Peace; and by engaging them in *a Treaty of Peace*, without the Advice and Conſent of their Brethren of *Scotland*, *which* (he ſaid) *would be contrary to the late Articles ſolemnly agreed upon by both Kingdoms, and to the perpetual Diſhonour of the Nation, by breach of their Publick Faith engaged therein to that Nation*; ſo that the two Houſes having given their Judgment in the Point, the King hath great Reaſon, if he had no other, to have the whole well debated before him, and the ſeveral Intereſts weigh'd and agreed upon, before he give his Conſent to any Particulars, which will elſe produce more Miſchief than his refuſing all can poſſibly do.

Cunning Plot, p. 3.

NOR will theſe and their other extravagant and licentious Demands be better juſtify'd, by their undervaluing the King's preſent Power, in their inſolent Queſtion in their late Declaration concerning the *Scots* Commiſſioners (which in Truth, throughout is but a Paraphraſe upon that Speech of *Demetrius* to his Companions of the like Occupation, *Sirs, you know that by this Craft we have our Wealth)* what can the King give them, but what they have already?

pag. 83.

IT is not out of their Duty or good Will to him, that they make any Application to him, and

and if they did indeed believe, that his Majeſty could give them nothing, but what they have already, he ſhould hear no more from them, but they very well know, they have yet nothing, except he give them more; and that the Man that is robb'd and ſpoil'd of all that he hath, when he hath procured a Pardon for, and given a Releaſe to the Thieves and Robbers, he hath given them more than they had before, and that which only can make what they had before of Benefit and Advantage to them; they know and will feel the Judgment upon the wicked Man in *Job*, *he hath ſwallowed down Riches, and he ſhall vomit them up again, God ſhall caſt them out of his Belly*; *becauſe he hath oppreſſed, and hath forſaken the Poor, becauſe he hath violently taken away a Houſe which he builded not: In the fulneſs of his Sufficiency he ſhall be in Straits*: That all their Reproachings and Revilings with which they have triumphed over the *Lord's Anointed, muſt come into their Bowels like Water, and like Oil into their Bones*: And that nothing can reſtore or preſerve them, but the Antidotes and Cordials, and Balm, which the King only can Adminiſter; they know very well, that even the moſt unfortunate Kings, that ever have been in *England*, could never be deſtroy'd without their own Conſent; and that all their Power and Strength, and Succeſs (tho' for a Time it may oppreſs) can never ſubdue the Crown, without its own being acceſſary to its own Ruin; and the King very well knows, that what

Job 20. 15, 19, 22.

Pſal. 109. 18.

he yet ſuffers, is not thro' his own Default, but by ſuch a Defection as may determine all the Empires of the World, and that in the unſpeakable Miſeries (which all his good Subjects have undergone) he is yet innocent; the Conſcience whereof hath refreſhed him in all his Sufferings, and maketh him ſuperior to their Inſolence, Contempt and Tyranny, and keeps him conſtant to his princely and pious Reſolution; but that, if by any unhappy Conſent of his own, ſuch an Eſtabliſhment ſhall be made, as ſhall expoſe himſelf, his Poſterity and People to Miſery, it will lie all upon his own Account, and rob him of that Peace of Mind, which he now enjoys and values above all the Conſiderations of the World, well knowing that God requires the ſame, and no more of him, than he did of his Servant *Joſhua*, *Only be thou ſtrong, and very couragious, that thou mayeſt obſerve to do according to all the Law which* Moſes *my Servant commanded thee, turn not from it to the right Hand, or to the left, that thou mayeſt proſper whitherſoever thou goeſt.*

Joſh. 1. 7.

HONEST Men and good Chriſtians will be leſs moved with their bold and preſumptuous Concluſion, which they have learned from their new Confederates the *Turks*, *That God himſelf hath given his Verdict on their Sides, in their Succeſſes*; not unlike the Logick uſed by *Dionyſius*, who, becauſe he had a good gale of Wind at Sea, after he had ſack'd the Temple of *Proſerpine*, concluded, *That the immortal Gods favour'd*

Decl. concerning Sc. Com. p. 70.

voured Sacrilege. It is very true, they have been the Inſtruments of God's heavy Judgments upon a moſt ſinful People, in very wonderful Succeſſes, yet if they would believe *Solomon*, they would find, *There is a Time wherein one Man rules over another to his own Hurt*; and Proſperity was never yet thought a good Argument of Mens Piety, or being in the right; and yet if theſe Men did enough think of God Almighty, and ſeriouſly revolve the Works of his own Hand throughout this Rebellion, and ſince they had looked upon themſelves as Conquerors, they would be ſo far from thinking that he had given his Verdict on their Side, that they would conclude, that he hath therefore only ſuffer'd them to proſper to this Degree, that his own Power and immediate Hand might be more clearly diſcern'd and manifeſted in their Deſtruction, and that the Cauſe might appear to be his own, by his moſt miraculous Vindication of it. Eccl. 8.9.

If Maſter *Hambden* had been leſs active and paſſionate in the Buſineſs of the *Militia*, which might have proceeded from natural Reaſon, and Reformation of his Underſtanding, the Judgment and Verdict of God would not have been ſo viſible as it was in the loſing his Life in that very Field, in which firſt, he preſum'd to execute that Ordinance againſt the King.

If Sir *John Hotham* had never deny'd his Majeſty entrance into, and ſhut the Gates of *Hull* againſt him, from which, natural Allegiance, and civil Prudence might have reſtrain'd him, the

Judgment and Verdict of God had been leſs evident than it was, when after he had wiſh'd, *that God would deſtroy him and his Poſterity if he prov'd not faithful to the King*, at the ſame Time that he had planted his Cannon againſt him; he and his Son were miſerably executed by the Judgment of thoſe, who but by his Treaſon could never have been enabl'd to have exercis'd that Juriſdiction; and that having it in his Power, he ſhould perfidiouſly decline to ſerve his Majeſty, and afterwards loſe his Head for deſiring to do it, when he had no Power to perform it.

THEY who remember the affected virulency of Sir *Alexander Carew* againſt the King, and all thoſe who adher'd to him; and how paſſionately he extoll'd and magnify'd the Perjury and Treachery of a Servant, as if he had done his Duty to the Kingdom, by being falſe to his Maſter the King; and that this Man afterwards ſhould, by the Treachery of his Servant, be betray'd, and loſe his Head by their Judgments, for whoſe ſakes he had forfeited it to the King, cannot but think the Verdict of God more viſible, than if he had contain'd himſelf within the due limits of his Obedience, and never ſwerved from his Allegiance.

TO omit infinite other Inſtances, which the Obſervation of all Men can ſupply them with, the Verdict of God had not been ſo remarkable and notorious, if the King had prevail'd with his Army, and reduc'd his rebellious Subjects to their

Duty,

Duty, which might naturally have been expect-ed from the Cauſe, and the Fate that Rebels uſually meet with; as that after a total Defeat of the King's Forces, and their gaining all the Power into their Hands, they could poſſibly propoſe to themſelves, they ſhould not only be in more Perplexity and Trouble, than when they had a powerful Army to contend with, but in more In-ſecurity and Danger, than if they had been overcome by that Army.

THAT the City of *London* ſhould be expos'd to all imaginable Scorn, Contempt and Danger, upon the ſame Ordinance of the *Militia*, by which their Pride and Sedition principally expos'd the Kingdom to the Miſeries it hath endur'd; that the ſame Arts and Stratagems of Petitions and Acts of Common Council with which they affronted the King, and drove him from them, ſhould be apply'd to their own Confuſion and Ruin.

THAT thoſe Members who were the Principal Contrivers of our Miſeries, the moſt ſevere and uncharitable Perſecutors of all, who were not of that Opinion, and the greateſt Cheriſhers of thoſe Tumults, which drove the King and all that wiſhed well and were faithful to him from *Weſtminſter*, ſhould themſelves be perſecuted for their Opinions by thoſe, whom they had ſupported, and be driven thence by the ſame Force; and as they had to make the KING odious to the People againſt their own Conſciences, caſt Aſperſions on him of favour-

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ing the Rebellion in *Ireland*; ſo themſelves to the ſame End, ſhould be accus'd of the obſtructing the Relief of *Ireland*; ſo that to ſome of them, that Story of *Jaſon*, (which tho' it be not Canonical Scripture, is yet Canonical Hiſtory) may be literally apply'd, who ſlew his own Citizens without Mercy, not conſidering, that to get the Day of them of his own Nation, would be a moſt unhappy Day for him, who afterwards flying from City to City, was purſu'd of all Men, hated as a Forſaker of the Laws, and being had in Abomination, as an open Enemy of his Country and Country-men, was caſt out into *Ægypt*: Thus he that had driven many out of their Country, periſhed in a ſtrange Land, and he that had caſt out many unburied, had none to mourn for him, nor any ſolemn Funeral at all, nor Sepulcher with his Fathers.

2 Mac. 5.

Ex. Col. p. 93.

THAT they who told the King, *That if he ſhould perſiſt in the Denial of the Militia, the Dangers and Diſtempers of the Kingdom are ſuch, as would endure no longer Delay, but unleſs he would be graciouſly pleaſed to aſſure by thoſe Meſſengers, that he would ſpeedily apply his Royal Aſſent to the Satisfaction of their former Deſires, they ſhould be inforced for the Safety of his Majeſty and the Kingdoms, to diſpoſe of the Militia by the Authority of both Houſes, in ſuch manner as hath been propounded, and they reſolved to do it accordingly*, and upon that Ground did raiſe the Rebellion againſt the King; That theſe Men

ſhould

ſhould be told by their own *Militia*, *That they were clearly convinc'd and ſatisfy'd, that both their Duties and Truſt for the Parliament and Kingdom, call'd upon them, and warranted them, and an eminent Neceſſity inforced them, to make or admit of no longer Delays, but they ſhould take ſuch Courſes extraordinary, as God ſhould enable and direct them unto, to put Things to a ſpeedy iſſue, unleſs by* Thurſday *next they receive Aſſurance and Security to themſelves, and the Kingdom, that thoſe Things ſhould be granted which they inſiſted on*; which were to have ſeveral Acts paſſed by the Houſes, ſpeedily reverſed, and other Acts formerly refuſed, to be conſented to, all which was done accordingly. Decl. and Papers of the Army, p. 67.

THAT their own Army ſhould rebel againſt them upon the Principles of their own Declarations, *which* (they tell them) *directed ſtill to the equitable Senſe of all Laws and Conſtitutions, as diſpenſing with the very Letter of the ſame, and being ſupreme to it, when the Safety and Preſervation of all is concern'd*; *and aſſuring them that all Authority is fundamentally ſeated in the Office, and but Miniſterially in the Perſons*; *and that it is no reſiſting of Magiſtracy, to ſide with the juſt Principles and Law of Nature, and Nations*: All which were the very Grounds and Aſſertions upon which they raiſed and juſtify'd their Rebellion againſt the King. Decl. and Papers of the Army, p. 39, 40.

Laſtly, THAT this very Declaration which they hop'd would prepare the Minds and Affections of the People with ſo much Prejudice to his

his Majeſty, that they would concur with them in any deſperate Act againſt him and his Poſterity, ſhould ſo much incenſe all ſorts of People againſt them, that they are ſince looked on, as the moſt odious ſcum of Men, that ever infeſted a Nation; and have loſt more by it, than they have ever got by any Victory.

THESE are the viſible Inſtances of God's Verdict in the Cauſe, ſo that if they had (with all their hypocritical Diſcourſes of Religion) the leaſt Senſe of God's Favours, or Fear of his Job 21.14 Judgments, if they had not ſaid unto him, *Depart from us, for we deſire not the Knowledge of thy Ways*, they would before this have felt that Agony of Heart, and trembling in their Joynts, out of the very Senſe of the Hand of God upon them, that they would take no reſt, till they caſt themſelves at his Feet whom they have offended, and employ all their Faculties towards repairing their gracious Sovereign, and binding up the Wounds of their almoſt ruin'd Country.

The Commons Reſolutions of making no more Addreſſes to the King.

INSTEAD of which, to make their Madneſs as publick and notorious as their Rebellion, they have reſolved, and publiſhed their Reſolutions to the Kingdom: 1. *That they will make no further Addreſs or Application to the* KING. 2. *That no Perſon whatſoever ſhall make any, without their leave.* 3. *That whoſoever ſhall break this Order, ſhall incur the Penalties of High Treaſon.* 4. *That they will receive no more any Meſſages from the* KING, *and that no Perſon ſhall preſume*

presume to bring any Message from the KING *to them, or to any other Person.*

BY the first and last of which, they have made and declared themselves no Parliament; for being call'd by the King's Writ to Treat with him, if they will neither send to him, or hear from him, they can be no longer a Parliament.

BY the Second, they have taken away from the Subjects of the three Kingdoms, that which themselves acknowledge to be their natural Right and Liberty, for they say (and they say truly) in their Declaration of the 6th of *May*, 1643. *That to present their humble Desires and Propositions to his Majesty, is a Liberty incident unto them, not only as Members of Parliament, but as free-born Subjects*, yet this Freedom is by this Vote taken away.

Col. Ord. 2 vol. p. 98.

TO the Third, there needs be no more said than what the Army (who, no doubt, will justify what they say) said upon this Argument, *Not only to be deny'd the Right and the Liberty to Petition, but withal by a Censure, no less than Capital, to be exposed to a Forfeiture of Estate, Liberty, Life, and all, for but going to ask what a Man conceives to be his due; and this without ever asking, or hearing what he can say in his Excuse; would carry so high a Face of Injustice, Oppression, and Tyranny, as is not easy to be exampled in the Proceedings of the most corrupt and arbitrary Courts, towards the meanest single Man:* And they shall do well to remember their own

Decl. and Papers of the Army, p. 35.

Judg-

Judgment in their Remonſtrance of the 26th of *May*, 1642. in theſe Words, *If the ſolemn proclaiming a Man Traytor, ſignify any thing, it puts a Man, and all thoſe that any way aid, aſſiſt, or adhere to him in the ſame Condition of Traytors, and draws upon him all the Conſequences of Treaſon; and if this may be done by Law, without due Proceſs of Law, the Subject hath a very poor Defence of the Law, and a very ſmall, if any Proportion of Liberty thereby; and it is as little Satisfaction to a Man that ſhall be expos'd to ſuch Penalties, by that Declaration of him to be a Traytor, to ſay, he ſhall have a Legal Trial afterwards, as it is to condemn a Man firſt, and try him afterwards.*

Ex. Col. p. 278.

ALL the Particulars of their Declaration are now examin'd, and however theſe deſperate Men may flatter themſelves, and how long ſoever they ſhall continue in this their damnable *Apoſtaſy*; the preſent Age and Poſterity will believe that inſtead of rendring and making the KING appear unworthy of, or unequal to the high Office and Charge, to which God hath advanc'd him; they have, in Truth, vindicated him from all thoſe Aſperſions and Blemiſhes their Malice had caſt on him, and that he appears the moſt worthy the great Truſt he was born to, if he had no other Title to it, than his admirable Virtue and Perfection: After the boldeſt and ſtricteſt Inquiſition, that was ever made into the Life and Manners of any Gentleman; after their examining all the Actions, and

all

all the Words of his Life, and with impious Licence, perverting and torturing thoſe Actions and Words with their unreaſonable Gloſſes, and Interpretations; after their breaking into his Chamber, by corrupting his neareſt Servants, and thereby knowing what in any Paſſion or Indiſpoſition he hath ſaid or done; after their opening his Breaſt, and examining his moſt reſerv'd Thoughts, by ſearching his Cabinets, peruſing his Letters, even thoſe he had written in Cipher to his deareſt Conſort the *Queen*, and his private Memorials: They have not been able to fix a Crime or Error upon him, which would draw a Bluſh from the modeſteſt Cheek, nor by all their Threats, and all their Promiſes, to ſhake his pious and magnanimous Reſolutions; ſo that in Truth, their main Trouble and Vexation is no other, than *David* heretofore gave *Saul*, who *when he ſaw, that he behav'd himſelf very wiſely, he was afraid of him.* 1 Sam. 18. 15.

BUT theſe miſerable Men muſt know, that if the King were as unjuſt, and as oppreſſing as they would have him believed to be, or as the beſt of them would be, if he were in his Place; they have not any Title or Qualification to uſe him as they have done: For, if it were Lawful for Subjects to take up Arms againſt their Sovereign, upon Pretence, that he were Injurious, and performed not the Duty and Office of a King, beſides the Confuſion that muſt follow, upon their aſſuming the Judgment in that Caſe, they would have it in their Power to reſiſt, and avoid

avoid one of the greateſt and moſt immediate Judgments which God ſends to correct and chaſtiſe a Nation, which hath provok'd him to
Iſa. 19. 4. Diſpleaſure: *And the Egyptians will I give over into the Hand of a cruel Lord, and a fierce King ſhall rule over them*, ſays God himſelf by the Prophet *Iſaiah:* He that can deſtroy a Nation by what Judgment he pleaſes; he that can humble this People by a Famine, and deſtroy that by a Plague, may, if he think fit, chuſe to do either by the Cruelty and Fierceneſs of a
Hoſ. 13. 11. King, *I gave thee a King in mine Anger*, ſays the ſame Spirit by the Prophet *Hoſea.* Now if it were lawful for us to be angry with that King, whom God hath in his Anger given us; or to be fierce againſt him, whoſe Fierceneſs the Lord hath ſent as his Judgment upon us, we might eaſily elude thoſe Sentences of his Wrath, and drive thoſe Afflictions from us, by our own Courage, without waiting his leiſure for our Redemption: And it may be no ill Reaſon of that Expreſſion in the Prophet *Samuel*, that *Rebellion is as the Sin of Witchcraft*, that as Men go to Witches, and Witches go to the Devil, to get or diſcover ſomewhat, which God would not have them get or diſcover; ſo they who rebel, endeavour, by the Help of the Devil, to be too hard for God Almighty, and to avoid by their own Skill and Activity, a Calamity, by which God meant to reclaim them:
Prov. 16. 14. *The Wrath of a King is as Meſſengers of Death, but a wiſe Man will pacify it*, ſays *Solomon*; not

not oppoſe and reſiſt, or rebel againſt it; and yet the ſame *Solomon* tells us, that *Wrath is cruel:* There is an Ingredient of Injuſtice, of Uncharitableneſs, of Cruelty in all Wrath, and yet the wiſe Man, the honeſt, juſt, conſcientious Man, thinks of nothing but pacifying it; Gentleneſs, Application and Humility ſhould be uſed to ſoften and mollify his Wrath; Indeed, ſo much is due to any Wrath: A wiſe and a charitable Man, will take ſo much Pains to reform and compoſe the Wrath and Diſtemper of his Neighbour, of his Equal; but there is much more to be done to the Wrath of a King; and *Tremellius* extends this Care of the wiſe Man much further than ſuch a pacifying, and renders this Text, *Vir ſapiens expiabit eam*, let this Wrath be never ſo unjuſt, ſo unreaſonable, ſo immerited, the wiſe Man *expiabit eam*; he will behave himſelf as if the Fault were in him, as if he had provok'd and incenſed the King to that Wrath, he will expiate, he will give Satisfaction by Prayer, by Submiſſion, by any Sacrifice that may pacify, and be acceptable to the offended Majeſty; and by an exact and punctual Performance of what becomes a Subject, convince the King of the Error and Miſtake of his Paſſion: They, who under Pretence of Innocence and of Faultleſsneſs, neglect and contemn the Anger and Diſpleaſure of Princes, are not innocent enough, nor look on Majeſty with that Reverence which becomes them; *Solomon*'s wiſe Man will expiate the King's Wrath from what

Fountain of Paſſion or Prejudice ſoever it proceeds.

IT cannot be deny'd, that unjuſt, cruel and unmerciful Princes are great Afflictions and Judgments upon a People; yet the Calamities under ſuch are much more ſupportable, than the Confuſion without any; and therefore God frequently exercis'd his peculiar and choſen People, with prophane, wicked and tyrannical Kings, and refreſhed them again with pious and devout, and juſt Princes, but it was a ſignal Mark of their Deſolation, when he declar'd, *That the Children of* Iſrael *ſhould abide many Days without a King, and without a Prince*; and it was a ſure Sign, when they had no King, that they had not fear'd the Lord, and then what ſhould a King do to them?

Hos. 3. 4. 10. 3.

IF the moſt notable Miniſters of Confuſion, and they who apprehend leaſt the Effects of it, would but a little conſider in their own Stations, the Miſery and Deſolation that muſt inevitably attend the breach of Order and Subjection in little: If the Father thought of the impoſſibility of living in his own Houſe, if his Wife and Children might follow the Dictates of their own Reaſons, and Wills, and Appetites, without obſerving his Rule and Directions: If the Maſter would conſider the intoleraleneſs of his Condition, if his Servants might queſtion, diſpute and contemn his Commands, and act poſitively againſt them, they would be the more competent Conſiderers of the Miſ-

chiefs

chiefs and Miſeries that muſt befall Kingdoms and Commonwealths; If Subjects may rebel againſt the Power and Authority of Princes, whom God hath appointed to govern over them: There is not one of theſe Declarers, who doth not think he hath a Prerogative veſted in him by Nature; it is the Prerogative of the Husband, the Father, the Maſter, not to have his Pleaſure diſputed by his Wife, his Child, his Servant, whoſe Piety conſiſts in Obedience; yet they cannot endure the mention of the *King's Prerogative*, by, and under which only, it is poſſible for them to enjoy theirs. It was a well-weighed Scoff, by which *Lycurgus* convinced him, who deſir'd him to eſtabliſh a *popular Government* in *Lacedemon: Begin* (ſaid he) *firſt to do it in thine own Houſe*; and truly tho' theſe *Ephori* (whoſe Profeſſion it is to curb the Power of Kings) intended nothing leſs, than to part with the leaſt Tittle of their own juſt Authority; they are appeal'd to, whether they have not felt that Power inſenſibly ſhrink from them, whilſt they have been ambitiouſly graſping at that which belong'd not to them? Is the Piety of Children, and the Obedience of Servants the ſame it was before theſe Days of Licenſe? Hath not God ſent the ſame Defection of Reverence, Kindneſs, and affectionate Inclinations into Families, to the rooting up and extirpating of all poſſible Joy and Delight in each other, which the Heads of thoſe Families have cheriſh'd and countenanc'd in the State? It may

be there would not be a better or an eaſier Expedient to reduce ourſelves, and recover that Allegiance we have forſaken, than by ſadly weighing and conſidering the Effects, Kinds, and Species of God's Judgments upon us, ſince we have been guilty of that Breach: If every Father whoſe Soul hath been grieved and afflicted with the pertinacious undutifulneſs of a Child, would believe (as he hath great Reaſon to do) that God hath ſent that Perverſeneſs and Obſtinacy into his own Bowels, to puniſh his peremptory Diſobedience to the Father of the Kingdom, his Sovereign Lord the King: If every Maſter of a Family, who hath been injur'd, betray'd and oppreſs'd, by the Treachery, Infidelity, or Perjury of a Servant, would remember how falſe, unfaithful and forſworn, he hath been to his Maſter the King, and conclude that his Servant was but the Miniſter of God's Vengeance upon him, for that Tranſgreſſion: If the whole Nation would conſider the Scorn, Contempt and Infamy it now endures and ſuffers under, with all Nations, Chriſtian and Heathen, in the known World, and confeſs that God hath ſent that heavy Judgment upon them, for their Contempt of him, for whoſe ſake they were own'd and taken notice of for a Nation: It would not be poſſible but we ſhould bring ourſelves to that true remorſe of Conſcience for the Ill we have done, that God would be wrought upon to take off the Ill we have ſuffer'd, and we could not entertain a fond

Hope

Hope of enjoying the leaſt Proſperity ourſelves, without reſtoring to the King what hath been rebelliouſly taken from him.

THEY ſay, That *tho' they have made thoſe Reſolutions of making no more Applications to the King, yet they will uſe their utmoſt Endeavours to ſettle the preſent Government, as may beſt ſtand with the Peace and Happineſs of this Kingdom.* p. 37. What the preſent Government is, no Man underſtands, and therefore cannot know what that Peace and Happineſs ſhall be, which they intend ſhall accrue to the Kingdom by it: The little Cabinet of Peers (for the Houſe is ſhrunk into that Proportion) hath no ſhare in it, as appears by the giving Poſſeſſion of the Navy to *Rainsborough* without their Conſent, after they had ask'd it; and by their doing many other Things of high Moment, without ſo much as asking their Concurrence: That it is not in the Commons is as plain by their repealing ſuch Acts of their own, and making others, as the Army requires them to do; and that the Army is not poſſeſt of it, needs no other Argument, than the Invaſion and Violation of all the Articles ever made by the Army upon any Surrender, which if the Power were in them, would, for their own Honour, have been obſerv'd; ſo that the Endeavour they promiſe to uſe to ſettle the preſent Government, is to take an effectual Care, that all Laws and legal Authority may, for the preſent, be ſo ſuppreſs'd, that there may be no Government at all: And, truly, it

may be in their Power for ſome Time to improve the Confuſion that is upon us, and to draw on the Deſolation which attends us; but to ſettle any kind of Government, which can bring Peace, or any Degree of Happineſs to the languiſhing Kingdom, nay, which can be any Security to themſelves and their Poſterity, except they ſubmit to the good old one, under which they were born, cannot be within their Power, nor ſink into their reaſonable Hope: Nothing is more demonſtrable, than that they can never eſtabliſh a Peace to the Kingdom, or any Security to themſelves, but by reſtoring the juſt Power to the King, and dutifully ſubmitting and joyning themſelves to his Protection; and it is as manifeſt, that by that way, they may reſtore the Kingdom to Peace, and preſerve themſelves and Families, and Poſterities in all Security and Honour: The Examination and clearing of which two Propoſitions ſhall conclude this Diſcourſe.

The Concluſion. THE Reverence and Superſtition which the People generally paid to the Name and Authority of Parliament, and by which they have been cozened into the miſerable Condition they now are in, is ſo worn out, that without captivating their Reaſons any longer to it as a Council, they plainly diſcern the Ambition, Weakneſs, Vanity, Malice, and Stupidity of the particular Members, of whom it is, and of whom it ought not to be conſtituted, and eaſily conclude,

clude, that as they had robbed them of the moſt happy and plentiful Condition any Freeman of the World ever enjoy'd, ſo they can never be Inſtruments of any kind of Peace and Security to them; and that as they have upon the Matter, diſſolved the nobleſt Structure, and Frame of Government, in Church and State, that hath been at any Time in the Chriſtian World, ſo that they are too much tranſported with Paſſion and Guilt, and of too little Intereſt, Experience and Underſtanding, to deviſe and ſettle a new Form, or to mend any Defects in the old: Beſides that, they plainly diſcern that they are not the Miniſters of their Country, for whom they were choſen and deputed, but for the Army, whoſe Dictates they are oblig'd and forc'd to follow, ſo that if their Inclinations were good, they have not Power to execute accordingly: And are like the Eagle in *Eſdras, when the Voice went not out of her Head, but from the midſt of her Body.* 2 Eſdr. 11. 10.

THE mutual Confidence between them and their Army is totally diſſolved, it being not poſſible for the Houſes ever to repoſe Truſt in any Army, for they can never believe any Army to be more at their Devotion, than they had Reaſon to think that under Sir *Thomas Fairfax*; nor for the Army to pay a full Submiſſion to the Houſes, for, admitting that Party, which is moſt powerful in the Army for the preſent, is of the ſame Mind and Opinion with that Party which is moſt powerful in the Houſes, yet be-

ing both ſtill Rivals for the Sovereign Power, they can never intirely truſt, or intirely ſubmit to each other; tho' the Houſes ſhould conſiſt of none but ſuch who were glad at that Time, that the King was taken from *Holmby*, and that the Army did not disband, yet they will always remember, that the one was done without their Order or Conſent, and that the Army may do the like again when they think fit, and when it may not turn ſo much to their Advantage; and that they did not only not disband at that Time, but have declar'd by their ſolemn Engagement of the Army, the 5th of *June*, *That they will not disband, nor divide, nor ſuffer themſelves to be divided or disbanded, till they have firſt Security and Satisfaction in thoſe Things they have deſir'd, in ſuch manner as ſhall be agreed upon by a Council, to conſiſt of thoſe general Officers of the Army (who have concurred with the Army in what they have done, and what they have demanded) with two Commiſſion Officers, and two Soldiers to be choſen for each Regiment, who have concurred, and ſhall concur with them in the Premiſes and in this Agreement*; ſo that it is evident, that the Army will be govern'd, and diſpos'd of only by themſelves, for which they have very great Reaſon, and without which indeed they can have no Security; for how complying ſoever the Houſes are for the preſent, the Soldiers cannot forget, that they were once declar'd Traytors but for preparing a Petition, and they wiſely obſerve, that *what was done, may*

Decl. and Papers of the Army, p. 22.

may be done again; and by the Demurrs which have been made concerning the Safety and Immunity of the *Speakers* and *thoſe faithful Members who were driven away by Violence*, and the Immunity of the Army in advancing to *London*, (notwithſtanding the publick Acknowledgment and Thankſgiving to God for it) They diſcern that they are only ſafe, by the want of Power in the Houſes of what Party ſoever they conſiſt, the Ambition, Injuſtice, and Tyranny of both being equal. Id. 140, 141.

THE Army have already fully declar'd againſt their late Votes and Reſolutions, and therefore it muſt be preſumed, they will never concur, or contribute to the ſupporting them; The General himſelf, in his Letter of the 6th of *June*, from *Cambridge*, to the Speaker, tells him, *That as it is his moſt earneſt and humble Deſire, ſo he found it to be the unanimous Deſire and Study of the Army, that a firm Peace in this Kingdom may be ſettled, and the Liberties of the People clear'd and ſecur'd, according to the many Declarations by which they were invited and induc'd to engage in the late War:* And in the Declaration and Repreſentation from the General and the whole Army of the 14th of *June* to the Parliament, they tell them plainly and honeſtly, *That they were not a mere mercenary Army, hired to ſerve any Arbitrary Power of State, but called forth, and conjured by ſeveral Declarations of Parliament to the Defence of their own, and the Peoples juſt Rights and Liberties, and* Decl. and Papers of the Army, pag 23.

Decl. and Papers of the Army, p. 39.

ſo

ſo they take up Arms in Judgment and Conſcience to thoſe Ends, and have ſo continu'd them, and are reſolved according to the firſt juſt Deſires in their Declarations, and ſuch Principles as they had receiv'd from their frequent Informations, and their own common Senſe concerning thoſe fundamental Rights and Liberties; and to aſſent and vindicate the juſt Power and Rights of this Kingdom in Parliament, for thoſe common Ends premiſed, againſt all Arbitrary Power, Violence and Oppreſſion, and againſt all particular Parties or Intereſts whatſoever: And in their Remonſtrance of the 22d of *June* from St. *Albans*, they
Ib. p. 63. ſay, *That the Kingdom calls upon them not to diſband till they ſee the Rights, Liberties, and Peace of the Kingdom ſetled, according to the many Declarations, by which they were firſt called forth, and invited to engage in the late War.*

NOW what thoſe Ends, Deſires, and Principles were in their Declarations, are ſet forth before, and known to all Men, who have or will read their Declaration, to be no other than *the*
Ex. Col. p. 281. *Maintenance of the true Proteſtant Religion, the King's juſt Prerogative, the Laws and Liberties of the Land, and the Priviledges of Parliament, in which Endeavours* (they ſaid) *they would ſtill perſiſt, tho' they ſhould periſh in the Work:* And they were ſo far from avowing, that they would not ſend to, or hear from the King, or not ſuffer his Majeſty to come to them, that they declare, *That as they never gave him any juſt Cauſe*
Ib. 588. *of withdrawing himſelf from his great Council, ſo*

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it had ever been, and ſhould ever be far from them to give any Impediment to his Return: And in their Declaration in Anſwer to the King's, after the Battle at *Edghill*, concerning the Allegations, that the Army raiſed by the Parliament was to murder and depoſe the King, they ſay, *They hoped the Contrivers of that Declaration, or any that profeſſed but the Name of a Chriſtian, could not have ſo little Charity, as to raiſe ſuch a Scandal, eſpecially when they muſt needs know the Proteſtation taken by every Member of both Houſes, whereby they Promiſe in the preſence of Almighty God, to defend his Majeſty's Perſon:* And by that Proteſtation of the 22d of *October*, 1642. (remembred before) they declare in the preſence of Almighty God, to this Kingdom and Nation, and to the whole World, *That no private Paſſion or Reſpect, no evil Intention to his Majeſty's Perſon, no Deſign to the prejudice of his juſt Honour and Authority, engag'd them to raiſe Forces, and to take up Arms:* So that theſe being the Deſires, Ends, and Principles in their Declarations, by which the Army was invited to engage in this War, they will not ſuffer themſelves to be betray'd into a perpetual abjuring their Allegiance, or to be made Inſtruments for the Deſtruction of all they were engag'd to defend, but they will diſcern, that as they may be excus'd for having upon ſuch ſpecious Profeſſions been miſled by thoſe, whom they might reaſonably believe, (which hath been the Caſe of many honeſt Men) ſo after ſo palpable

Ib. 657.

Ib. 663.

pable a Diſcovery of their wicked Purpoſes, they can only recover and preſerve their Innocence and Credit by abhorring thoſe, who having engag'd them to honeſt publick Ends, would now corrupt them to ſacrifice their Bodies and Souls to their own private Luſts, Malice, and Ambitions: And they cannot forget that true Acknowledgment of the Lords and Commons in their Petition of the 14th of *December*, 1641. to the King, in which they ſay, *they acknowledge his Royal Favour and Protection to be a great Bleſſing and Security to them for the enjoying and preſerving of all thoſe publick and private Liberties and Privileges, which belong unto them.*

IF the People could be ſo mad; if their Fear, or their Folly prevail'd over them to ſubmit to ſuch a Settlement as theſe Declarers would deviſe for them, there are not ten of them, whoſe Names are known to the Kingdom, who do know and are agreed what kind of Government they would eſtabliſh in Church or State: Their Fears and Jealouſies with which they delighted themſelves, are now grown real Diſeaſes, and take away their Sleep from them; ſo that ſetting aſide the peace of Conſcience, which they contend not for, there is not a Man amongſt them enjoys that Aſſurance of outward Security, as the poor *Cavalier* does, whom they have robb'd and ſpoil'd of all that he hath, upon whom all their Pride and Plenty looks even with an Envy and Reverence: *Is not the Seat of the Image of Jealouſy, which provoketh to Jealouſy,* (as

Ezek. 8. 3.

(as it was in *Ezekiel*'s Viſion) *in the Gate that looketh toward the North* ? And do they not every Day look to be deſtroy'd by thoſe, by whoſe aſſiſtance they have been inabled almoſt to deſtroy their Country?

THEY have not a Foundation of Credit to be truſted or believed at home or abroad, having not only broken all Obligations Divine and Human, but publiſh'd ſuch a Contempt of thoſe Obligations, that they are not henceforth capable of any Truſt; for how can they be believ'd upon Oaths (which are the moſt ſolemn Bonds between Men, when they are lawfully entred into) when they make Gloſſes and Interpretations upon them to ſerve their Turns, directly contrary to the Letter and Words of the Oath; And if they cannot evade them that way, call them *Almanacks of the laſt Year, and ſo out of date to direct them?* When they with whom they have enter'd into Treaties, and the moſt faſt League could be deviſed, and to whom they have oblig'd themſelves never to tranſact any Matter of publick Concernment to the Kingdom without their Concurrence, ſhall be told (after they have rais'd them to the pitch they are now at) that *they have nothing to do, to aſſent, or diſſent, atteſt or proteſt concerning any Thing they ſhall think fit to eſtabliſh in this Kingdom, either for the Government of Church or State*? Nay, when they ſhall be told, that *it is no more Manners in them to preſs their Advice and inſiſt upon it, than it would be in the ſame*

Mart. Inde. p. 11.

Decl. concerning the *Scots* Papers, p. 62.

Mart. Inde. p. 7.

ſame number of Spaniards, Indians, *or the moſt remote Region of the Earth; and that ſo long as they needed their Aſſiſtance, they might have occaſion to give them meetings now and then, whereas now ſince they are able to protect themſelves, they may ſurely be ſufficient to teach themſelves to go about their own Buſineſs?*

IT will be neceſſary to add, that in all their Tranſactions at home, to which they have applied the Publick Faith, they have not only not performed the Contracts they have made, but reſolved at the Time when they made them, not to obſerve them, as appears by the Order of *June* 2d, 1646. by which the Houſe of Commons reſolved, *That all Perſons that have or ſhall come and reſide in the Parliament Quarters, ſhall take the National League and Covenant, and the Negative Oath, notwithſtanding any Articles that have been or ſhall be made by the Souldiery:* And ſo they did not only break the Articles formerly made upon the Surrender of *Exeter* and other Places, but by virtue of this Order, which could not be known to the Perſons concern'd, they evaded thoſe made afterwards upon the Surrender of *Oxford*, which were confirmed by themſelves; of which a principal Article was, *that no Man ſhould be compelled to take any Oath during the Time he was allowed to ſtay in* London, *or at his own Houſe, or where he pleaſed, which was for the ſpace of Six Months after the Surrender.*

Col. ord. 2 vol. p. 889.

As upon theſe, and infinite other Reaſons, the Affections and Hearts of the People are quite aliened from the Parliament, ſo they are, with an equal Vigour, recover'd and converted to the King, and a full reverence to his ſacred Perſon (the want of which may be held juſtly the primary Cauſe of all our Evils, and the advancement of all our Diſtractions) and an ample Acknowledgment of his Princely Wiſdom, and unparallel'd Conſtancy is confeſſed to be due to him; And by his truly magnanimous Carriage during the Time of his Reſtraint, when all Perſons have been removed from him, who are either inclined to his Perſon, or Rights, out of their Duty and Allegiance, or to his Opinions out of Judgment and Underſtanding; by his unſhaken Conſtancy, in not being moved from his great Principles, with all their Promiſes, and all their Threats ſucceſſively adminiſtred to him; by the ſharpneſs and ſteadineſs of his Underſtanding, with which, upon all Occaſions, and in all Diſcourſes with the Commiſſioners who attended him, he hath demonſtrated the Impiety in Point of Religion; the Injuſtice in Point of Law; the Unreaſonableneſs in Point of Policy, even in relation to themſelves, of all that they have propoſed to him in order to Peace, with ſuch a clearneſs of Judgment, and ſuch a candidneſs of Nature, that ſome of their own Miniſters, not of the ſofteſt and gentleſt Conſtitutions, have been forced to their Diſadvantage, to publiſh his wonderful Abilities:

All

All Men acknowledge that whatſoever hath been wiſely ſaid, or proſperouſly done throughout the managery of his great Affairs, hath proceeded from his own Virtue and Conduct; and that all the ill Succeſſes, and Overſights, which have preceded and cauſed thoſe ill Succeſſes, were the Effects of the Unadviſedneſs, Unskilfulneſs, and Paſſion of his Counſellors and Miniſters.

AND that the King's great Virtue had, and would have this great Influence upon the People, the Army well knew, when (to indear and ingratiate themſelves after the taking of his Majeſty from *Holmby*) they declar'd in their Remonſtrance of the 23d of *June* from St. *Albans*, That *whereas there had been ſcandalous Informations preſented to the Houſes, and induſtriouſly publiſh'd in Print, importing as if his Majeſty were kept as a Priſoner amongſt them, and barbarouſly and uncivilly uſed*; they ſaid, *they could not but declare, that the ſame, and all other Suggeſtions of that ſort, were moſt falſe and ſcandalous, and abſolutely contrary not only to their declar'd Deſires, but alſo to their Principles, which are moſt clearly for a general Right and juſt Freedom to all Men*; *and therefore upon this Occaſion*, (they ſay) *they cannot but declare particularly, that they deſire the ſame for the King, and others of his Party*; *and they further clearly profeſſed, that they did not ſee, how there could be any Peace to this Kingdom, firm or laſting, without a due Conſideration of, and Proviſion for the Rights*

Decl. and Papers of the Army, p. 64.

Rights, Quiet, and Immunity of his Majeſty's Royal Family and his late Partakers; And their General by his Letter of the 8th of *July* to the Speaker, which was as ſoon printed as ſent, freely acquainted them, that *their Army had made many Addreſſes to the King, to deſire his Majeſty's free Concurrence with the Parliament, for eſtabliſhing and ſecuring the common Rights and Liberties, and ſetling the Peace of the Kingdom: And to aſſure him, that the Publick being ſo provided for, with ſuch his Majeſty's Concurrence, it was fully agreeable to all their Principles, and ſhould be their Deſires and Endeavour, That (with and in ſuch ſetling of the Publick) the Rights of his Majeſty's Royal Family ſhould be alſo provided for, ſo as a laſting Peace and Agreement might be ſettled in this Kingdom; And that as they have formerly declared for the ſame in general Terms, ſo* (if Things came to a way of Settlement) *they ſhould not be wanting* (in their Sphears) *to own that general Deſire in any Particulars of natural or civil Right to his Majeſty's Perſon or Family, which might not prejudice, or again indanger the Publick:* By which gawdy Profeſſions, together with the Admiſſion of ſuch Servants and Chaplains to attend his Majeſty whom he deſir'd, and which had been barbarouſly deny'd by the Houſes (who were by this time ſo ſenſible of their Error, as they deſir'd his Majeſty's Preſence amongſt them upon his own Conditions) they raiſed themſelves to that Credit with the King's Party, with the Ib. p. 74.

City of *London*, and universally with the People, that by this Stratagem only, they grew able and powerful enough to confine him to *Carisbrook-Castle*, and to proceed since as they have done: And surely when the Army hath throughly weigh'd and consider'd the huge Advantages they have gotten by those Professions and Protestations, and how far they have been from making the same good to the King, they will not suffer themselves to be made a stalking Horse to the vile Ends of particular Persons, nor let their *Moral Righteousness*, in which they so much triumph, to grow into a Proverb, for the highest and most unworthy Craft, *Hypocrisy*, and *Treachery*.

It remains now, since by any Endeavours of these Men, sever'd from the return to their Duty and Allegiance, it is not possible for them to establish any Peace or Happiness to the Kingdom, or Security to themselves, to perswade them, that by doing at last the Duty of Christians, they may not only preserve their Country, which no Body can doubt, but they may be superiour to any Difficulties and Hazard, their Guilt suggests they shall be liable to.

It is yet in their Power so absolutely to make the King's Restoration their own Work, that his Majesty may be oblig'd even in Point of Gratitude to acknowledge it, and to remember only by whose Fidelity he hath recover'd what he had lost, and not by whose Fault he lost it; and his Party, (who for Conscience sake have

have loſt all) know that Charity is ſo fundamental a Duty of a Chriſtian, that there is no Excuſe for the leaſt Degree of Animoſity and Revenge, let the Injuries they have receiv'd be never ſo great; and the King's own Experience of Men hath ſufficiently inform'd him, that as many of good Inclinations have, by Inadvertency and Credulity, been cozened into a Combination againſt him, and it may be, the worſt of them grown by degrees worſe than they intended to be; ſo all who have ſeem'd to follow a good Cauſe, are not good Men, but had Ends as ill as they, whom they oppoſed, and therefore all mention and memory of former Errors being blotted out, it may be preſum'd he will truſt and employ all his good Subjects, according to their ſeveral Faculties and Abilities, without remembring how they have been at any time diſpoſed againſt him; and they have reaſon to believe, that whatſoever his Majeſty ſhall freely conſent to, he will moſt religiouſly obſerve, and cauſe all others to obſerve it: Let them therefore ſeaſonably enter into a Treaty with his Majeſty, attended with ſuch of his Council as he ſhall chuſe; and let the fulleſt Articles be agreed upon, which may give a mutual aſſurance of Security to all Perſons and Intereſts, to which his Majeſty having given his Aſſent in ſuch manner as ſhall be deſir'd, all his Council and Miniſters of Juſtice throughout the Kingdom, may be ſolemnly ſworn to thoſe Articles; the which being done, and the

ſame confirm'd by ſuch an Act; and in that manner paſſed as they ſhall conclude may be valid: Let this unhappy Parliament be diſſolved, an Intermiſſion of Parliament being at this time more neceſſary for the Vindication of the Juſtice and Laws of the Kingdom, and reſtoring a happy Peace, than ever a Convention of Parliament was for the Reformation and Removing of Grievances.

To conclude, unreaſonable and unjuſt Propoſitions may continue the War, and the Diſtractions; never make a Peace, which is nothing, but the Liberty to enjoy what in Juſtice and Right is our due; and as long as the World laſts, that Anſwer of the Ambaſſador from *Privernum* to the Senate of *Rome*, will be found to be Reaſon, who when he was asked what Peace the *Romans* might depend upon with them, (becauſe they had been guilty of ſome Defection) anſwered, *Si bonam dederitis, & fidam, & perpetuam; ſi malam, haud diuturnam*; which that wiſe Senate confeſſed to be an honeſt Anſwer, and that it was madneſs to believe any People or private Perſon *in eâ conditione, cujus eum pœniteat, diutiùs quàm neceſſe ſit manſurum*: Let us then (like *Engliſh* Men) make up the Breach ourſelves have made, and let not our Country and Poſterity owe their Redemption to any Foreign Power; but let us proſtrate ourſelves at the Feet of our abuſed Sovereign, with that hearty Acknowledgment and Teſtimony which the King of *Tyre* ſent to *Solomon*: *Becauſe*

Liv. li. 8. 21.

2 Chron. 2. 11.

cauſe the Lord hath loved his People, he hath made thee King over them: To a profane, diſſolute and licentious People, he hath given the moſt pious and temperate King, to recover and reform them by his Example; and to a wicked and rebellious People, the moſt gentle and merciful King to preſerve them by his Goodneſs: But, *if they ſin wilfully after that they have received the Knowledge of the Truth, there remaineth no more Sacrifice for Sins, but a certain fearful looking for of Judgment, and fiery Indignation, which ſhall devour the Adverſaries.*

THE

Difference and *Diſparity*

BETWEEN THE

ESTATES and CONDITIONS

OF

George Duke of BUCKINGHAM and *Robert* Earl of ESSEX.

Written by the Earl of CLARENDON *in his younger Days.*

THO' it may ſeem an unſeaſonable Itch of Wit to ſay any Thing on this Subject; and an unskilful one, if Invention reach not what has already been deliver'd with all the ſwelling Elogies uſually attending the Productions of that * Pen; yet I ſhall preſume (ſaving only their Vanities, and that they were both glorious in the

* *Alluding to Sir* Henry Wooton, *who wrote a* Parallel *between the Duke of* Buckingham *and the* E. *of* Eſſex.

Eyes of their Princes) to think, that in the ſevereſt Conſiderations of their Perſons, in their Educations, in their Inſinuations into Favour, in managing that Favour, they were as diſtant, as unfit, as impoſſible for *Parallels*, as any two vertuous and great Perſons (they both being ſuch) we can direct our Diſcourſe to. Their Ingagements, Incumbrances, and Diſadvantages, being ſo different, that it was, and ſtill continues, the juſt Wonder of the World, that the Earl, whoſe whole Fate being in the Diſcretion of his own Soul, cou'd ever fall; and the Duke, who all his Life of Favour, ſtood the Mark ſhot at by the moſt petulant and malicious Spirits this Climate ever nouriſh'd, could ſtand ſo long.

He that ſhall walk in a ſhort Survey of both their Times, Actions and Dependencies, ſhall find them theſe.

Though the firſt approach of the Earl to Court, was under the Shadow of the great Earl of *Leiceſter*, yet he ow'd rather his Invitation to him, than his Preferment there.

For, no queſtion he found Advantage from the Stock of his Father's Reputation; the People looking on his Quality with Reverence, (being the only young Nobleman that had yet ſurpriz'd their Hopes, or drawn their Eyes) and on his youth with Pity; for they were nothing ſatisfy'd concerning his Father's Death, who had been advanced to honourable Dangers by the Mediation of ſuch as delighted not in his Com-

Company; as it was the myſterious Wiſdom of thoſe Times to poyſon with Oyl, *& homines per Honores ferire.* And if there were not any ſuch Compaſſion in the Queen, yet ſurely ſhe beheld him as the Son of an excellent Man, that dy'd in her Service, and had left a precious Fame ſurviving.

In the Court he ſtay'd not above a Year, before he undertook that Journey into the *Low-Countries* with his Father-in-law; and went General of the Horſe in a great Army, tho' he was not full nineteen Years of Age, there being then no ſuch Criticiſms as interpreted the acceptance or purſuit even of the greateſt Dignity and Command, a Conſpiracy againſt the State; but all Men were glad to ſee him ſet himſelf ſo brave a Task, by undertaking ſuch an Employment.

From this firſt Action he took a Charter of the Peoples Hearts, which was never cancel'd; but as if they had look'd only on the Boldneſs, not the Succeſs of his Enterprizes, he was ſure to return with Triumph, tho' the Voyage miſcarried: For, amongſt all his Foreign Undertakings, if they be weigh'd in the Peoples uſual Scale, the Coſt, tho' there was not above one or two proſperous Returns, and as many that had ſad and calamitous Iſſues; ye he never ſuffer'd the leaſt publick Imputation or Murmur; but was receiv'd with that Joy, as if the Fleet or Army were ſent out to bring him Home, not

any

any Spoil or Conqueſt, to which he had wholly dedicated his Faculties.

He moved only in his proper Orb; out of it he was *extra Spheram activitatis*, being a Man rather of more Buſineſs, than Dexterity above others; and one likewiſe, towards whom the Queen had directed ſome Rays of Affection.

Surely, I by no Means imagine him built or furniſh'd for a Courtier.

For, however the Arts and Myſteries of a Court are undefinable, yet as in the Reformation and Improvement of all Sciences, there are certain Principles and Maxims unalterable and unqueſtionable, ſo there is a certain Comparity, Conformity, and Complacency in the Manners, and a diſcreet Subtilty in the Compoſition, without which, (as with thoſe Principles) no Man in any Age or Court ſhall be eminent in the *Aulical* Function.

Now, how ill the Earl was read in this Philoſophy, his Servant *Cuffe* (whoſe Obſervations were ſharp enough, whatever Stoiciſms raved in his Nature) well diſcerned, when he ſaid, *Amorem & odium ſemper in fronte geſſit, nec celare novit.*

And I ſhall not impute it to his want of *Will*, (tho' that would be but an ill Argument for his Courtſhip) nor of *Power*, for he did many greater Things; but only of Skill to contrive Conveniences of Honours and Preferments at Court, for ſuch Friends as might have been good

good Out-works to have fortify'd and ſecur'd his own Condition, except all his Dependants were of another Complexion than could have lived in that Air.

AND indeed, I do not find that the Earl was much inclined to, or deſired the Reputation of a Courtier, except for the Preſervation of himſelf, and the Queen's Affection, which yet he endeavoured rather to maſter, than to win; but he ſeemed, though he had ſuch Places of Honour and Attendance, as be the moſt ſignificant Badges of a Courtier, *in pace belli gerere negotium*, and retired only from the War to prevent Peace.

THEN if we viſit his Correſpondencies abroad, which he rather maintained out of State, than contrived out of Skill, we ſhall ſee they were always with an Eye upon Actions, and his Intelligences had ever ſome hint of Tumult and Commotion; as, if the King of *Spain* was loud or frantick at his Devotions; as, when he vowed at Maſs, that he would be reveng'd of *England*, though he ſold all thoſe Candleſticks upon the Altar: This Information was given by the Earl. But it was obſerved then, that if there were ought intended againſt the Life or Perſon of the Queen, though it were in the Court of *Spain* where the Earl had eſpecially his Leigers, the firſt Notice came over by my Lord *Cecil*, for whom indeed, it ſeemed as neceſſary there ſhould be Treaſons, as for the State, that they ſhould be prevented: Inſomuch, as it was then, how unjuſtly ſoever conceived, that tho' he created

none,

none, yet he fomented ſome Conſpiracies, that he might give frequent Evidences of his Loyalty, having no other Advantage (as the Earl and others had in Perſon) to juſtifie him in an ordinary Eſtimation, but by eminent Services.

AND thoſe he knew muſt be beſt reliſhed, that concerned her own Preſervation; and therefore in the leaſt Vacations from Treaſons, he was ever buſy to ſet on foot ſome vigilant and tender Law (as there was ſcarce any Parliament, without ſome ſuch) that had a peculiar Eye to the Queen's Safety. Which, however, they are by ſuch as cannot apprehend the Danger of thoſe Times, looked upon without much Reverence, could not but make ſingular Impreſſion in the Queen's Heart of his Fidelity.

THE Incumbrances that the Earl had to wreſtle withal (for I ſhall only look over his Life without particular Enquiry into his Actions, which had all glorious Ends, or glorious Intentions) were fewer than ever any great Man ever met withal, and his Advantages more in number, and in Weight.

'TIS true, he was rivall'd by a ſtrong and ſubtile Faction, which cared and conſulted for his Ruin, as a Foundation they muſt build upon; and were intent to betray him abroad, and miſ-interpret him at home: Yet the Danger was thus allay'd, that they were all his publick and profeſſed Enemies, and ſo known to the Queen, that they durſt never impertinently urge ought againſt him, ſince they were ſure their Malice was concluded

cluded, when the Reaſon of their Objection happily might not be conſidered.

And indeed, that Trick of countenancing and protecting Factions (as that Queen almoſt her whole Reign did, with ſingular and equal Demonſtrations of Grace, look upon ſeveral Perſons of moſt diſtinct Wiſhes one towards another) was not the leaſt Ground of much of her Quiet and Succeſs. And ſhe never doubted, but that Men that were never ſo oppoſite in their good Will each to others, or never ſo diſhoneſt in their Projectments for each others Confuſion, might yet be reconciled into their Allegiance towards her. Inſomuch, that during her whole Reign, ſhe never endeavoured to reconcile any perſonal Differences in the Court, though the unlawful Emulations of Perſons of neareſt truſt about her, were even like to overthrow ſome of her chiefeſt Deſigns. A Policy ſeldom entertained by Princes, eſpecially if they have Iſſues to ſurvive them.

Among the Advantages the Earl had (and he had many, that will diſtinguiſh him from any Man that hath, or is likely to ſucceed him) I ſhall rank the Nature and the Spirit of that Time in the firſt Place. For I ſhall not mention his Intereſt in the Queen's Favour, till the laſt, which ſhall appear greateſt by the Circumſtances that loſt it.

'Twas an ingenuous un-inquiſitive Time, when all the Paſſions and Affections of the People, were lapped up in ſuch an innocent and humble Obedience, that there was never the leaſt Conteſtations

ſtations, nor Capitulations with the Queen; nor though ſhe very frequently conſulted with her Subjects, any further Reaſons urged of her Actions, than her own Will.

WHEN there were any Grievances, they but reverently conveyed them to her Notice, and left the Time and Order of the reſt, to her Princely Diſcretion. Once they were more importunate and formal in purſuing the Complaints of the Purveyors for Proviſion, which without Queſtion was a crying and an heavy Oppreſſion: The Queen ſent them word, they all thought themſelves wiſe enough to reform the Miſdemeanours of their own Families, and wiſh't that they had ſo good Opinion of her, as to truſt her with her Servants too. I do not find that the Secretary, who delivered this Meſſage, receiv'd any Reproach or Check, or that they proceeded any further in their Inquiſition. In this excellent Time the Queen's remarkable Grace indeared the Earl to the Regard of the People, which he quickly improved to a more tender Eſtimation; neither was this Affection of theirs ever an Objection againſt him, till he himſelf took too much Notice of it; for the Queen had ever loved her People without the leaſt Scruple of Jealouſie, nor was ever offended, if he was the Darling of their Eyes, till ſhe ſuſpected he inclined to be the Darling of their Hearts.

IN his Friendſhips he was ſo fortunate, that though he contracted with ancient Enemies, and ſuch as he had undeſerved by ſome unkindneſs

neſs, as grievous as injurious, it is not known, that ever he was betrayed in his Truſt, or had ever his Secrets derived unhandſomly to any Ears, that they were not intended to: And this, if he had not planted himſelf upon ſuch, whoſe Zeal to his Service was more remarkable than their other Abilities, would have preſerved him from ſo prodigious a Fate.

Laſtly, HE had ſo ſtrong an Harbour in the Queen's Breaſt, that notwithſtanding thoſe dangerous Indiſcretions of committing himſelf in his Recreations and Shooting-matches, to the publick View of ſo many thouſand Citizens, which uſually flocked to ſee him, and made, within the reach of his own Ears, large Acclamations in his Praiſe; notwithſtanding his receiving into his Troop of Attendance, and under that Shadow, bringing into the Court divers Perſons not liked by the Queen, and ſome that had been in Priſon for Suſpicion of Treaſon, as Captain *Wainman*; and then his glorious Feather-Triumph, when he cauſed two thouſand Orange-tawny Feathers, in deſpight of Sir *Walter Rawleigh*, to be worn in the Tilt-yard, even before her Majeſty's own Face (all which would have found Regret in the Stomachs of moſt Princes;) yet neither theſe, nor any Whiſpers, that were diſtill'd into the Queen's Ears (for ought appears) even leſſened him in her Highneſs's Regard, till he committed ſuch ſtrange Miſtakes, as ever have been proſecuted with moſt exemplary Puniſhments by the Laws themſelves; which, tho'

in

in jealouſy of Princes, they oft compound Treaſons out of Circumſtances and Poſſibilities, yet are as tender of the Reputation of great Men, as in any Common-wealth whatſoever.

If toward his Period, the Queen grew a leſs merciful Interpreter of his Failings and Succeſſes; 'twas when ſhe believed he grew too familiar, and in love with his Paſſions, and had a Mind not to be ſatisfied but upon his own Conditions, and too inſenſible of his own Errors. And truly, though that would not be unfitly applyed to him, that was once ſaid of the terrible *Mountford* Earl of *Leiceſter*, in the Reign of *Henry* the Third; *that he had a Spirit too great for a Subject*; yet nothing can be more horrible to me than the Petulancy of that Wit, which, for an unhandſome Jeſt would accuſe him of a purpoſe to be King; being doubtleſs in his ſolemn Purpoſes of a firm and unſhaken Allegience. For beſides that he look'd from above, and with a Diſpleaſure, that had a mixture of Scorn more than Anger, upon ſuch as courted not his Protection, his Talk was in an high and unuſual Dialect; he took much delight to diſcover an hatred (like a Contempt) of the King of *Spain*, and would often mention his Perſon, as familiarly as *Luther* did our *Henry* the Eight; and as *Fox* begins his Book againſt the Pope, with the firſt Lines of *Tully*'s Oration againſt *Cataline*, *Quoſque tandem*, &c. ſo he would write in his ordinary Letters, and publiſh in his Apology, *I will teach that proud King to know*, &c. Which ſounded poſſibly

by not ſo acceptable to the Queen her ſelf, who, though ſhe were perfect enough in her diſlike to that King, thought, that the greateſt Subjects ought not to approach the Infirmities, or the Mention of any King without ſome Reverence. And the Earl in his Zeal to the *Hollanders* (when the great Deſign was to mediate a Truce between *Spain* and them, and almoſt the whole Council-board inclin'd that way) would not only in the Violence of his Oppoſition ſhew a Diſlike to the Inſolency and Tyranny of the *Spaniards*, but of the very Government of a Monarchy.

THEN his Carriage towards the Queen her ſelf was very ſtrange, and his uſual Converſe upon too bold Terms, which proceeded not from any Diſtemper but his Paſſions, though natural Choler be but an unruly Excuſe for Roughneſs with Princes: Yet 'twas a Way (I know not upon what unlucky Succeſs) he had from the beginning fanſied, and laſted even to his End. Inſomuch, as upon his firſt Reſtraint, which was not many Months before his Concluſion, he did ſomewhat Neglect the Queen's Pardon, becauſe it came not accompanied with a new Grant of his Leaſe of the Farm of ſweet Wines, which was then near expired; though ſhe intimated to him, that ſhe only deferred that Grace upon the Phyſician's Maxim: *Corpora impura, quo magis paſcas, læſeris.*

Laſtly, IF ever that uncouth Speech fell from him to the Queen, which is delivered to us by

one that was much converſant then in the Secrets of the Court, *that ſhe was as crooked in her Diſpoſition, as in her Carcaſs*, (when haply there was a little unevenneſs in her ſhoulders) all my Wonder at his Deſtruction is taken from me; and I muſt needs confeſs, I am nothing ſatisfied with that looſe Report, which hath crept into our Diſcourſe, that ſhortly after his miſerable End, (which indeed deſerved Compaſſion from all Hearts) I know not upon what unſeaſonable Delivery of a Ring or Jewel by ſome Lady of the Court, the Queen expreſſed much Reluctancy for his Death. I am ſure no Diſcovery, no Expreſſion, either to his Memory, Friends, or Dependants, can weigh down the Indignity of the Sermon at *Paul's Croſs*, and ſet out by Command, or that Diſcourſe that was ſo carefully commended abroad of his Treaſons; which were two of the moſt peſtilent Libels againſt his Fame, that any Age hath ſeen publiſhed againſt any Malefactor, and could not with that Deliberation have been contrived, and juſtified by Authority, had not there been ſome Sparks of Indignation in the Queen that were unquenched even with his Blood.

'Tis time to call my ſelf homewards to the View of thoſe Conſiderations, in which will clearly appear the inequality of the Duke's Condition, to what hath been ſaid of the Earl; and it may be I have been at my Diſtance, too bold

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an undertaker of theſe Actions, which were performed ſo many Years before my Cradle.

I ſhall not much inſiſt on the Duke's Morning, being ſo different from that of the Earl's, as would diſcountenance all Purpoſes of bringing them into one Circle; he had no Satisfaction in his Friendſhips, or Pretence in his Quality, but was his own Harbinger at Court. For tho' the Herald may walk in as large a Field of his Pedegree, as ſhall concern any Subject, yet that being no In-let to his Advancements, or Occaſion of his Favour, I ſhall leave to ſuch as ſhall have the Preferment to write his Life. 'Tis true, that ſoon after his Approach was found to be acceptable, and that he was like enough to be entertained by him that had moſt Power to bid him welcome; he received pretty Conveniences from the Reſpects of ſome great Men, which at moſt (being as much out of Diſaffection to others as Tenderneſs to him) yeilded him rather Aſſiſtance, than Support; ſo that indeed he was (if ever any) *Faber fortunæ ſuæ:* And all ſuch as will not be impudent ſtrangers to the diſcerning Spirit of that King who firſt cheriſhed him, cannot but impute it to a certain innate Wiſdom and Virtue that was in him, with which he ſurprized, and even faſcinated all the Faculties of his incomparable Maſter. He was no ſooner admitted to ſtand there in his own Right, but the Eyes of all ſuch, as either look'd out of Judgment, or gazed out of Curioſity, were quickly

directed towards him, as a Man, in the Delicacy and Beauty of his Colour, Decency and Grace of his Motion, the most rarely accomplished they had ever beheld; whilst some that found Inconveniences in his nearness, intended by some Affront to discountenance his Effeminacy, till they perceived he had masked under it so terrible a Courage as would safely protect all his Sweetnesses.

And now he quickly shewed the most glorious Star that ever shone in any Court; insomuch that all Nations prosecuted him with Love and Wonder, as fast as the King with Grace; and to his last he never lost any of his Luster.

His Swiftness and Nimbleness in rising may be with less Injury ascribed to Vivacity, than any Ambition in his Nature; since it is certain the King's eagerness to advance him, so surprized his Youth, that he seemed only to submit his Shoulders, without resistance, to such Burdens as his Highness would be pleased to lay on him; and rather to be held up by the violent Inclination of the King, than to climb up by any Art or Industry of his own; yet once seated, he would not affront that Judgment that raised him, by an unseasonable Diffidence of himself, but endeavoured with an understanding Boldness to manage those Employments which his Modesty would never suffer him to court.

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DURING the Reign of his firſt Maſter, I cannot but ſay, he enjoyed an indifferent Calm in his Fortune and Favour; for though there were ſome boiſterous Interruptions by the Clamour of the People, yet ſhortly again their Affections were as violent, and almoſt as ſenſeleſs, toward him, as ever their Accuſations were before or after; inſomuch as the chief Rulers among them performed frequent Viſits to him, when he was ſomewhat diſeaſed in his Health, and out of a zealous Care of him, would have begot in him ſome Jealouſy, that his Phyſicians and neareſt Attendants about him, being perhaps of the ſame Religion with the King of *Spain*, had a Purpoſe by Poiſon to revenge ſome Injuries theſe People had conceived in the Right of that Nation. And here the Fortunes of our great Perſonages met, when they were both the Favourites of their Princes, and Darlings of the People. But their Affections to the Duke, were but very ſhort liv'd.

AND now 'tis ſeaſonable to ſay ſomewhat of the Diſpoſition and Spirit of this Time, ſince the diſparity of thoſe we treat of, will be in that diſcerned; and the Earl be found by ſo much to have the Advantage, that there will be little need of conferring the Particulars of their Lives. 'Twas a buſie querulous forward Time, ſo much degenerated from the Purity of the former, that the People, under Pretences of Reformation, with ſome petulant Diſcourſes of Liberty, which their great Im-

poſtors ſcattered among them, like falſe Glaſſes to multiply their Fears, began *abditos principis Receſſus, & quid occultius parat exquirere*; extended their Enquiries even to the Chamber and private Actions of the King himſelf, forgetting that Truth of the Poet, — *Nuſquam Libertas gratior extat,-- quam ſub Rege pio*: 'Twas ſtrange to ſee how Men afflicted themſelves to find out Calamities and Miſchiefs, whilſt they borrowed the Name of ſome great Perſons to ſcandalize the State they lived in: A general Diſorder throughout the whole Body of the Common-wealth; nay the vital Part periſhing, the Laws violated by the Judges, Religion prophaned by the Prelates, Hereſies crept into the Church and countenanced; and yet all this ſhall be quickly rectified without ſo much as being beholden to the King, or conſulting with the Clergy.

SURELY had *Petronius* now lived, he would have found good Cauſe to ſay, *Noſtra regio tam præſentibus plena eſt numinibus, ut facilius poſſis deum quam hominem invenire.* For my Part, whether the frenſy was nouriſhed in the warm Breaſts of young Men who are commonly too much in love with their own Time, to think it capable of Reformation; or whether it was fomented by riper Heads, that had miſcarried in their Propoſitions of Advancement, and were violent in the Suceſſes of Queen *Elizabeth*; or whether it was only the Revolution of Time that had made them

them unconcerned in the loyal Fears that governed ſixty Years ſince, I ſhall not preſume to gueſs; but ſhall rather wiſh for the Spirit and Condition of that Time, as he did for Wars and Commotions, *Quoniam acerbiſſima Dei flagella ſunt, quibus hominum pertinaciam punit, ea perpetua oblivione ſepelienda, potius quam memoriæ mandanda eſſe.*

KING *James* being no ſooner dead, but ſuch as had from his Beginning impertinently endeavoured to ſupplant him, and found that he was ſo deeply rooted in his Sovereign's Acceptance, that there ſhould be no ſhaking him with clamorous Objections, found ſome Means to commend over his Condition and tranſcendent Power, as they termed it, as a Matter of publick Conſequence to the People; and from this Inſtant to his fatal End, he ſtood as it were oppoſed, notwithſtanding all the Shelter of the Sovereign's Regard, to all the Calumnies and Obloquies the impudent Malice of the Rabble could fling on him; and in all their Pretences of Reformation, as if their End were only his Shame, not Amendment, they rather cudgel than reprehend him. Of this wild Rage (not within the main Purpoſe of an Apology) I ſhall give one or two Inſtances, inſiſting on them only as they were mentioned in the indigeſted Noiſe of the People, not as they were marſhalled with other Employments in any publick Declaration or Remonſtrance.

THERE were two Errors chiefly laid to his Charge, and ſo eagerly urged, that in them he was almoſt concluded an Enemy to the King and Country; which certainly in the next Age will be conceiv'd marvellous ſtrange Objections; the one being a ſtrong Argument of his Worth, the other a Piece of its Reward: The firſt was the Plurality of Offices, tho' they were immediately conferred on him by the King, or elſe ſuch as he was promoted to by his Majeſty's own Allowance, and, of which, there was no Condition, but his Majeſty was a Witneſs, if not a Surety, for the Performance; and yet for the Execution of them, never Man ſtudy'd more to apt himſelf, nor deſcended to meaner Arts, to give general Content. And here, poſſibly, it concerned his Mirth, to ſee his Ambition proſecuted of ſome who deſir'd to eaſe him of this Guilt by undertaking his Truſt.

THE other was the Preferment of his Kindred, upon whom his Majeſty, delighting to give all gracious Expreſſions of his Affection to the Duke, would (to enliven any Branch that grew from the ſame Stock) confer both Honour and Living. And this ſurely had ſo little ſignification of Offence in the Duke's Conſcience, that he thought he ſhould have ſinned againſt the Law of Nature, and a generous Diſpoſition, that it would have been an eternal Brand to his Name and Memory, if being ſo ſeized of this great King's Favour, he had no regard but to his own Advancement.

AND

And 'tis not improbable, that his noble Care of his Family, confirmed him in the eſtimation of his Maſter, who knew that all Fountains ought to beſtow themſelves upon their Neighbour-Brooks, and could have hoped for little Effects from his Service, whoſe Care was only directed for himſelf.

Now whether the importunate Clamour upon theſe two Faults, whereof he found no Regret, but Comfort in himſelf, made him ſo to eſteem of the popular Diſcretion and Honeſty; or whether he eſteemed it the ſame Ignominy to have his Allegiance exalted with Blaſphemy, as (for attending the Prince out of *Spain*) he was call'd our *Redeemer*; or to have his Misfortunes miſtaken into Diſloyalty, when his Enterprizes ſucceeded not according to the impoſſible Expectation of the People; certain it is, that all his later Time he wholly neglected all compliance with them. 'Tis not unlikely he might wonder, that in all the ſcrutinous Enquiry for Reformation, there was never the leaſt Blemiſh of diſlike towards any great Man, but ſuch as were in the immediate Regard and Eſtimation of the King: As if all Miſdemeanours had been committed within the Verge of his Majeſty's own Chamber.

I ſhall not confer any of theſe Particulars with the Earl. When the Noiſe of the People had remov'd him into Action from Court, which was his Orb, tho' he could not put off the Place, or rather the Title of Command, he com-

committed himſelf a moſt willing Pupil to the Directions of ſuch as were generally thought fit to manage Affairs of that Nature. And here it cannot be deny'd, but as he was a vigilant and obſervant Student in the contemplative Part, ſo he improved the Courage of the whole Army by his Example.

And ſurely, there is no Cauſe to doubt, he would, in a ſhort time, have made ſo glorious a Progreſs in his Profeſſion, (however he ſeem'd ſhaped for eaſier Skirmiſhes) as the World ſhould have ſeen that Promptneſs and Alacrity in his Nature, that could happily have travelled in any Path he could direct it, had he not been cut off by that execrable Treaſon, as makes all good Men tremble, and Poſterity ſhall ſtart at it: And had he not been marvellouſly ſecured in the Tranquility of his own Soul from any of that Guilt the Rabble had conferr'd on him, it had been no hard Matter to have fortify'd himſelf againſt the Knife of a Villain, tho' it were ſharpen'd in the lewdeſt Forge of Revenge, the great Patron of Murther hath countenanc'd ſince the ſpilling of the firſt Blood. But he that was unſafe only in the greatneſs of his own Spirit, could not but be perſwaded to wear any privy Coat, but that of a good Conſcience, which he never put off. And the ſame Providence that convey'd him into Grace, with ſo different Marks from other Men, would not ſuffer him to fall, but by ſuch a Fate as may determine all the Monarchies of the World;

and

and which had been ſeldom acted, but upon the moſt eminent and honourable Perſons of their Times.

And here again, he may be ſaid to meet with the Earl, that they both dy'd by the People, tho' by very different Affections, which continu'd ſo prepoſterous, as Juſtice upon the One (for Juſtice is the Execution of the Law) was interpreted a Conſpiracy; and Treaſon upon the Other, conceiv'd Religion; and yet one had the Royal Sacrifice of his Sovereign's Sorrow, which the other wanted.

In contriving and contracting his Friendſhips, he was provident and circumſpect enough, as may appear by thoſe Marriages in which he linked his Houſe; and in the Obſervation of them, he was ſo ſevere and real, as he wanted ſome of that, which is uſually the Poyſon of noble Minds, Suſpicion; looking no further into the Affections of thoſe he choſe, than the Teſtimony of their own Hearts, though this Confidence ſometimes was like to prove dangerous to him. And here the Earl had the Day too: For his Friends were Skreens between him and Envy, and his own Infirmities taken from him, and impoſed on them; when the Duke was ſo far from that Eaſe, or being diſcharged from the Burthen that belong'd to them; that he was traduced with all the Miſtakes of all his Friends, Kindred, and Dependants; as if he were the Miſchievous Agent, they only improvident and ſurprized Inſtruments.

'Tis

'Tis true, they were neither of them much skill'd in that Paradox of Charity, *loving their Enemies:* And yet the Duke's calmeſs to Reconcilement, and too ſoon forgetting the Circumſtances of Grudges, betray'd him often to the Injuries of ſuch as had not the ſame Spirits.

Concerning the Parts and Endowments of his Mind, if the Conſideration of Learning extend itſelf no further than Drudgery in Books, the Duke's Employments forbid to ſuſpect him for any great Scholar: But if a nimble and fluent Expreſſion, and Delivery of his Mind upon all Subjects, in a natural and proper Dialect, be conſider'd, he was well Letter'd: A-but if he had that Eloquence of Nature or Art, I am ſure he wanted that other Accident, the Pity and Benevolence of his Hearers; inſomuch that his Words and Speeches were never entertain'd with that Candour or common Charity of Interpretation, as civily belongs to all Delinquents: Witneſs that Speech in the fulneſs of his Joy, he let fall to his Majeſty in the behalf of his People, which was immediately perverted and carpt at, as an Aggravation of his other imaginary and fantaſtick Offences.

He was, beſides, not only of an eminent Affection to Learning, in conferring Dignities and Rewards upon the moſt learned Men; either of which is ſeldom without Judgment; and he was the Governor in a Province of Learning, which was an Argument he confuted the People

People by, when he ſuffer'd himſelf to be choſen Chancellor of the Univerſity of *Cambridge*, even at the Time when they had concluded his Deſtruction, as a Man odious to all Subjects.

In his Liberalities and Rewards of thoſe he fancy'd, he was ſo chearfully Magnificent, and ſo much at the Mercy of his Dependants, that if they prov'd improvident or immodeſt in their Suits, the Inconveniency and Miſchief was ſurely his; inſomuch as he ſeemed wholly poſſeſt from himſelf, and to be only Great for their Uſe; and he had then ſo happy a Bravery in deriving of his Favours, and conferred them with ſo many noble Circumſtances, that the Manner was as obliging as the Matter, and Mens Underſtandings oft-times as much puzled as their Gratitude.

If the Earl ſided him here, his Bounty fell upon more unthrifty Men; for there are many Families owe their large Poſſeſſions only to the openneſs of the Duke's Hand, tho' much be loſt too in the Ingratitude of the Receivers.

But that which ſhone with moſt Luſtre in him, and which indeed flow'd in his Nature much above its proportion in other Men, was an admirable Affability and Gentleneſs to all Men. And this was the Pomp and Glory of all his Titles; inſomuch as tho' his Memory were a Place ſo taken up with high Thoughts, and unlikely to have any room for Matters of ſo ſmall Importance; he was ever known to entertain his younger Acquaintance with that Familiarity,

miliarity, as if they had been Stairs by which he ascended to his Greatness.

He had, besides, such a Tenderness and Compassion in his Nature, that such as think the Laws dead if they are not severely executed, censured him for being too merciful; but his Charity was grounded upon a wiser Maxim of State: *Non minus turpe Principi multa Supplicia; quàm Medico multa Funera.* And he believed, doubtless, that Hanging was the worst Use Man could be put to.

And now, methinks, to believe a Man dress't in all these real Ornaments of Honour, could be an Enemy to the Publick, to his Country, is as ingenuous, as to believe a Man of a solemn Friendliness to ten Thousand Men, and of a resolved Hatred to Mankind at the same Time.

Of all Imputations, that was the most unskilful, which accus'd him of a Purpose and Design to enrich himself. Certainly that was never in his Vows; and possibly the Auditors of his Revenues do not find his Estate so much increased from the Time of his first Master, tho' he enjoy'd a glorious Harvest of almost four Years, which if it had been brought in to his own Use, could not but have made an envious Addition.

Since then, till their Evenings, these two great Persons can hardly meet: Let not the Violence of their Deaths reconcile them, since the same Consideration might as well unite the great King of *France*, and the Marshal *Byron*,

and

and many others of more different Conditions.

HE that ſhall continue this Argument further, may haply begin his Parallel after their Deaths; and not unfitly: He may ſay, that they were both as mighty in Obligations as ever any Subjects, and both their Memories and Families as unrecompenced by ſuch as they had raiſed. He may tell you of the Clients that burnt the Pictures of the one, and defaced the Arms of the other, leſt they might be too long ſuſpected for their Dependants, and find Diſadvantage by being honeſt to their Memories. He may tell you of ſome that grew Strangers to their Houſes, leſt they might find the Track of their own Foot-ſteps, that might upbraid them with their former Attendance. He may ſay, that both their Memories ſhall have a reverend Savour with all Poſterity, and all Nations. He may tell you many more Particulars, which I dare not do.

SOME

SOME

OBSERVATIONS and REFLECTIONS,

OF THE

L. Chancellor CLARENDON,

ON

PERSONS *and the* TIMES,

ANTECEDENT to the

RESTORATION.

I Hope it is only Modesty in Mr. *Wren*, that makes him pause upon undertaking the Work, you have recommended to him. For, I dare swear, by what I have seen of his, he is very equal to answer every Part of it; I mean every Part that requires an Answer. Nor is there need of a profess'd Divine to vindicate the Creation

from making a Man a veryer Beast than any of those of the Field; or to vindicate Scripture from licentious Interpretation. I dare say he will find somewhat in Mr. *Hobbs* himself, I mean in his former Books, that contradicts what he sets forth in this, in that Part, in which he takes himself to be the most exact, his *beloved Philosophy:* And sure there is somewhat due to *Aristotle* and *Tully*, and to our Universities, to free them from his Reproaches; and 'tis high Time, if what I hear be true, that some Tutors read his *Leviathan*, instead of the others, to their Pupils. Mr. *Hobbs* is my old Friend; yet I cannot absolve him from the Mischief he hath done to the King, the Church, the Laws, and the Nation; and surely there should be enough to be said to the Politicks of that Man, who having resolv'd all Religion, Wisdom and Honesty into an implicit Obedience to the Laws establish'd, writes a Book of Policy, which, I may be bold to say, must be by the establish'd Laws of any Kingdom, or Province in *Europe*, condemn'd for impious and seditious; and therefore 'twill be very hard, if the Fundamentals of it be not overthrown. *

* *From a Letter to Dr.* Barwick, *dated from* Bruffels, July 25. 1659.

If it be now in your Power, I wish you would supply Sir *Theophilus Gilby*, (who is a very honest Man; and to whom Mr. *Thornton* can transmit the Favour) with twenty or thirty Pounds. And 'tis heartily wish'd, that out of such Monies, as are collected for charitable Uses,

Ules, Care might be taken of ſuch Perſons, who are in Miſery in Priſons, for no other Crime than their Loyalty; and amongſt ſuch, I hear Sir *Gervais Lucas* is in *Newgate* in great Extremity; who has ſerved the King very honeſtly. He is a very Melancholy Man, and very uneaſy to himſelf; and therefore I wiſh, if you know any Body that is acquainted with him, that he ſhould be a little refreſh'd and comforted with Converſation; and that he ſhould know the King is not without a ſenſe of his Condition. I ſhall let his Majeſty know to Morrow, of the 100 *l.* you have tranſmitted to Sir *Thomas Bond.* †

† *From a Letter to the ſame, dated as before,* Nov. 28. 1659.

SINCE I writ this, I have receiv'd yours of the 16th, which ſhould have come to me the laſt Week; and, by Letters of a later Date, I ſee ſo great a Change in all your Affairs, that I know not what to ſay. But if the Rump be re-eſtabliſh'd, and with that Reputation and Triumph, it ſeems to carry with it, we have miſtaken our Meaſures, and are, for the preſent, caſt farther back, than we had reaſon to fear; and muſt look about us, till we can ſee more Light; but I have yet ſome Hope from the Temper of the City, which ſee their Slavery again at their Door, and from the Deſpair of *Lambert*, and thoſe who have adher'd to him; of all which we ſhall ſee the Effects very quickly; as, I believe, you do at this Time ſee the utmoſt that can be expected from ei-

ther. Give me leave, in a Word, before I conclude, to ask a Queſtion concerning a young Gentleman, the Son of a good Father, Mr. *Wickham*, a Fellow of King's College in *Cambridge*. I have ſeen him, and he accidentally mention'd you, as a Perſon to whom he was well known, and ſeem'd to know that you hold Correſpondence with me. I have never ſince heard from him, nor of him; therefore, I pray, let me know what your Opinion is of him, and where he is. *

* *From a Letter to the ſame, dated as before*, Jan. 12. 1660.

If my Lord *Mordaunt* be with you, you have receiv'd the King's Letters for your two Friends; and I long very much to hear what they both think of *Monk*; who, I hope, hath not with that Formality diſclaim'd the King in the Head of every Regiment, as I hear, Sir *Arthur Haſlerig* reports.

I ſhould be glad to find, that our Friends in *Northamptonſhire* have done themſelves no Harm by their late Motions; and that as many honeſt Men get into the Houſe upon the new Elections, as is poſſible. Theſe quick Reſolutions, without a broken Head, do ſo aſtoniſh People abroad; that if the *Rump* ſit any Time without new Confuſion, it will get Reputation abroad, and be acknowledg'd by their Neighbours, as a ſettled Republick. The King left an Acquittance with Sir *Thomas Bond* for 200 *l.* but ſince you deſire a diſtinct Account for each Sum, I ſend them here to you; and you may make

make use of the other, upon another Occasion. I pray remember me kindly to Mr. *Cholmley*, as my good Friend, of whom I have great Esteem. *Grig. Palden* laments his Condition to me, which I know not how otherwise to remedy, than by recommending him to you, as I have formerly done; presuming that when you have Money, you will assist him. *

* *From a Letter to the same, dated as before,* Jan. 22. 1660.

I have heard much Good of Mr. *Cholmley*, and know well, that he is well known to the King and *Ormond*; and I shall be very glad, upon any Occasion to serve him, and to be acquainted with him, as I was well with his Father and his Uncle *Harry*, who, I hope, will yet prove right.

Sir *Theoph. Gilby* is a very honest, and a modest Man, and a good Officer. I have writ to my Lord *Mordaunt* to do somewhat for him, which I hope he will do; and, if you please, let the whole 20 *l.* be given to *Grig.* who complains too much of great Necessities. I do thank you, with all my Heart, for giving me an Opportunity to send my Service to *Clem. Spelman*, whom I know to be a very worthy Person, and whose Affections the King is oblig'd to reward; which he resolves to do. I pray remember my Service very kindly to him; and let him know, that I did receive the Books long since, with a very great Sense of the Obligation, and did return my Acknowledgment, by, at least, three several Letters to Dr. *Ryves*,

which, it ſeems, he never receiv'd. Pray know of him, whether his Father left no Advance in the *Gloſſary*.

I am very much taken with Mr. *Steward*'s Caſe, and did hope that our laſt Letters would have brought us ſome News of the City's Reſentment of it; but, I believe, they will avoid all ſharp Expoſtulations, till they can make a clearer Judgment of *Monk*'s Reſolutions; of which, methinks, by yours of the 3d, you ſeem ſtill to retain ſome Hopes; and 'tis evident enough from his Carriage, that he is willing all Parties ſhould retain a fair Hope of him. There is no doubt it is in his Power (if he be once well reſolv'd) to make himſelf ſo ſtrong, by a Conjunction with honeſt and worthy Men, that he need fear no Oppoſition; but may bring all to paſs, that he can reaſonably deſire, or others deſire from him; and he takes very ill Meaſures of his own Intereſt, if he does not believe, that it can be more advanc'd by his adhering to the King, and eminently promoting his Right, than by any other Courſe he can take; and, in Truth, that no other Advancement can be pleaſant or laſting to him: But if he ſhould prove ſo falſe and ſo fooliſh, as to give himſelf up to the Imagination of a Republick; I hope the good Spirit, that already appears throughout the whole Kingdom, will be heighten'd with Indignation and Obſtinacy, to proteſt againſt a Submiſſion and Subjection to ſuch an extravagant and abſurd Government, as

is

is now over them; and consequently refuse all Payments of Taxes and Impositions, and fill *Westminster-Hall* with Process and Complaints to the Judges, for the Oppressions they suffer against Law: So that they may be not only without Hope of a solid Settlement, but may receive such visible Opposition, as may take away all Reputation with their Neighbours, of their being like to settle; and then will be Time for those Presbyterian Pulpits, which would be thought to have any Principles of Allegiance, to discharge themselves efficaciously.

I do not think the Number so very considerable of those, who are entangled in that Guilt, that their Interest can continue, or support the War, when the Nation shall discern, that there is nothing else keeps off the Peace. They, who have the greatest Share in those Spoils, are Persons otherwise so irreconcileable, either by their villainous Resolutions (as Sir *Arthur Haslerig* and others) that no Overtures of that kind would work upon them, but would be turn'd into Reproach; and as the Number of those is not so great, so the greatness of their Possessions makes them more Enemies than Friends, setting all other Guilt aside. *

* *From a Letter to the same, dated as before*, Jan. 22d, 1660.

I see you are very apprehensive of some mischief by decyphering our Letters, which you impute to Art, as you have great Reason to do, if your Letters and others have been decypher-

ed, as well as Mr. *Rumbald*'s. I confeſs to you as I am ſure no Copy could be gotten of any of my Cyphers from hence; ſo I did not think it probable, that they could be gotten on your ſide the Water. But I was as confident, 'till you tell me you believe it, that the Devil himſelf cannot decypher a Letter, that is well written, or find that 100 ſtands for Sir H. *Vane*. I have heard of many of the Pretenders to that Skill; but have found them all to be Mountebanks: Nor did I ever hear that more of the Kings Letters, that were found at *Naſeby*, than thoſe which they found decypher'd, or found the Cyphers in which they were writ, were decypher'd. And I very well remember, that in the Volume they publiſh'd there was much left in Cypher, which could not be underſtood; and which I believe they would have explain'd if it had been in their Power. *

* *From a Letter to the ſame, dated as before,* March *the* 8th, 1660.

I hope Dr. *Morley* is by this Time with you, and will joyn with you in the Buſineſs of the Church; of which I can ſay no more, but that I hope God Almighty will not put it in their Power, who care ſo little for it, to ſuffer it to expire. The King is very well pleas'd with the Account Mr. *Cholmley* hath given him; and is very confident of his Uncle: But when any Thing is to be done in *Yorkſhire*, the King deſires, that Mr. *Cholmley* would be there upon the Place, in Order to bring

the

the Kings Friends into the Conjunction; and those of Inferiour Condition may, I suppose, appear at the Beginning; tho' the rest of the greater Quality may forbear, 'till the Season shall be judg'd ripe. My Lord *Langdale* is not in this Country, but retir'd to a Monastery in *Germany*, to live with more Frugality. I shall write to him, how much his Country-men desire him.

THE Presbyterians, and their Humours and Appetites, must be now so well known, that I hope no Arts or Artifices are omitted to dispose them, for their own Sakes, as much as is possible, to repair the Ruins they have made; and then the worst of them will be so contradicted and controlled by the best, that the Schism will appear. There are some of them, who have been eminent enough, when they were against us; who now either really are, or are willing to appear, converted as well to a Piety towards the Church, as a Loyalty towards the King. *

* *From a Letter to the same, dated as above*, April 2. 1660.

THE Prospect of your Affairs looks very well towards us; and I am perswaded, that MONK will, in the End, appear to have proceeded like a sober Man; and assure yourself, your Friend cannot be without a very good Acknowledgment, for contributing much towards that Temper; and whatever Jealousies there be among themselves, between the Civil and Martial Counsellors; I do not find, there

is any of the laſt Claſſis, by whom *Monk* is like to be adviſed, or who are like to do him ſo much Service in the Army, as your two Friends are; and therefore, I pray, continue your Interpoſition with them, with all the Encouragements that can be deſir'd from the King, of which they may be moſt confident. And here I muſt not omit to tell you, that ſome Perſons of unqueſtionable Affections, and of great Quality, have ſent lately to the King, to make Propoſitions to him, of engaging Colonel *Clobery*, as a Perſon moſt able to do him Service with the General: They not imagining that we have any Knowledge or Communication with him; nor do we pretend it, but ſeem to decline to write ſuch Letters as they deſire, out of an Apprehenſion, that he is of the Republican Party, and not to be wrought upon. This we think very neceſſary you ſhould know, and, it may be, he himſelf; leſt it ſhould be intimated to him, that there is an ill Opinion of him here; which ſometimes falls out by the weakneſs of our Friends; when, to avoid ſome unſeaſonable Overture, or a more unſeaſonable Diſcovery, we ſeem to have Prejudice towards thoſe, in whom we have moſt confided. *

* *From a Letter to the ſame, dated as above,* April. 16. 1660.

THE King is very glad, that there is ſo good an Underſtanding between *Monk* and your Friend; and he hopes all will proceed hereafter without any Rubs, and that the Army will be reduced to a good Temper, both by putting

ting out ill Men, and by bringing in good. I am very glad, that Colonel *Venables* is Governor of *Cheſter*; of whoſe Affections the King hath not the leaſt Doubt; yet I have thought to ask you a Queſtion concerning him long, whether he be of the Independent Party in Point of Religion; which I have heard confidently averr'd by ſome, who have great Kindneſs for him, and Aſſurance of his Affection to the King, and together with that, a great Opinion of his Parts and Underſtanding, which, methinks, ſhould hardly conſiſt with the other. *

* *From a Letter to the ſame, dated from* Breda, *April* 22. 1660.



SOME

SOME EXTRACTS FROM THE L. Chancellor *Clarendon*'s SPEECHES IN PARLIAMENT.

From a Speech to both Houſes of (*the* Convention) *Parliament.* Sept. 13. 1660.

IF any Body here, or any where elſe, be too much exalted with what he hath done, or what he hath ſuffered, and from thence thinks himſelf warranted to reproach others, let him remember the Story of *Nicephorus*; it is an excellent Story, and

and very applicable to such Distempers; he was a pious and religious Man, and for his Piety and Religion was condemned to the Fire: When he was led to Execution, and when an old Friend, who had done him Injury enough, fell at his Feet, and asked his Pardon, the poor Man was so elated with the Triumph he was going unto, with the Glory of Martyrdom, that he refused to be reconcil'd unto him; upon which, he was disappointed of his End; and for his Uncharitableness, the Spirit of God immediately forsook him, and he apostatized from the Faith.

LET all those who are too proud of having been, as they think, less faulty than other Men, and so are unwilling to be reconcil'd to those who have offended them, take heed of the Apostacy of *Nicephorus*, and that those Fumes of Envy and Uncharitableness, and Murmuring, do not so far transport and intoxicate them, that they fall into those very Crimes, they value themselves for having hitherto declined.

BUT, *My Lords and Gentlemen*, whilst we conspire together to execute faithfully this Part of the Bill, to put all old Names and Terms of Distinction into utter Oblivion, let us not find new Names and Terms to keep up the same, or a worse Distinction: If the old Reproaches of *Cavalier*, and *Roundhead*, and *Malignant*, be committed to the Grave, let us not find more significant and better Words, to signify worse

Things

Things, let not Piety and Godlineſs grow into Terms of Reproach, and diſtinguiſh between the Court and the City, and the Country; and let not Piety and Godlineſs be meaſured by a Moroſity in Manners, an Affection of Geſtures, a new Mode and Tone of ſpeaking; at leaſt, let not our Conſtitutions and Complexions make us be thought of a contrary Party, and becauſe we have not an affected Auſterity in our Looks, that we have no Piety in our Hearts; very merry Men have been very godly Men, and if a good Conſcience be a continual Feaſt, there is no Reaſon but Men may be merry at it.

THE Buſineſs of Religion is a ſad Argument indeed; it is a Conſideration that muſt make every religious Heart to bleed, to ſee Religion, which ſhould be the ſtrongeſt Obligation and Cement of Affection, and brotherly Kindneſs and Compaſſion, made now, by the perverſe Wranglings of paſſionate and froward Men, the ground of all Animoſity, Hatred, Malice and Revenge. And this unruly and unmanly Paſſion (which, no queſtion, the Divine Nature exceedingly abhors) ſometimes, and I fear too frequently, tranſports thoſe who are in the Right, as well as thoſe who are in the Wrong, and leaves the latter more excuſable than the former, when Men, who find their Manners and Diſpoſitions very conformable in all the neceſſary Obligations of human Nature, avoid one another's Converſation, and grow

grow firſt unſociable, and then uncharitable to each other, becauſe one cannot think as the other doth: And from this Separation we entitle God to the Patronage of, and concernment in, our Fancies and Diſtinction, and purely for his ſake hate one another heartily.

IT was not ſo of old, when one of the moſt Ancient Fathers of the Church tells us, *That Love and Charity was ſo ſignal and eminent in the primitive Chriſtians, that it even drew Admiration and Envy from their Adverſaries. Vide* (*inquiunt*) *ut invicem ſe diligunt!* Their Adverſaries, in that in which they moſt agreed in, their very Proſecution of them, had their Paſſions and Animoſities amongſt themſelves; they were only Chriſtians that loved, cheriſhed and comforted, and were ready to die for one another. *Quid nunc illi dicerent Chriſtiani, ſi noſtra viderent tempora?* ſays the incomparable *Grotius?* How would they look upon our ſharp and virulent Contentions in the Debates of Chriſtian Religion, and the bloody Wars that have proceeded from thoſe Contentions, whilſt every one pretended to all the Marks which are to attend upon the true Church, except only that which is inſeparable from it, *Charity to one another.*

* *From a Speech to both Houſes of the* (Convention) *Parliament*, Dec. 29. 1660. *Being the Day of their Diſſolution.*

* *My Lords and Gentlemen,*

GOD has enabled us to invert one Argument, which, I hope, may, to a good Degree, repair

repair the much Miſchief it hath heretofore done: It hath been urg'd very unſeaſonably, yet ſucceſsfully urg'd in the worſt Times, that it was not Faith but Preſumption, to expect that God would reſtore a Family, with which he ſeem'd to have a Controverſy, and had humbled ſo far, that he would ever countenance a Party, that he had ſo much diſcountenanced, and almoſt deſtroy'd. We may now much more reaſonably, and therefore, I hope, as effectually, preſs the Miracles that God Almighty hath lately wrought for King and People, as an Evidence that he will not again eaſily forſake them: We may tell thoſe, who are uſing all their Endeavours to imbroil the Nation in new Troubles, that it is not probable, that a Nation againſt which God ſeem'd theſe late Years to have pronounced his Judgment, in the very Language of the Prophet: *Go ye ſwift Meſſengers to a Nation ſcatter'd and peel'd, to a People terrible from the Beginning hitherto, a Nation rooted out and trodden down, whoſe Land the Rivers have ſpoil'd:— The Lord hath mingled a perverſe Spirit in the midſt thereof.*

THAT he ſhould reduce that Perverſeneſs to the greateſt Meekneſs and Reſignation, that he ſhould withdraw his Judgment from this Nation, and in a Moment reſtore it to all the Happineſs it can wiſh, and to no other End, but to expoſe it to the Mercy and Fury of a few diſcontented Perſons, the worſt of the Nation, is not eaſy to be believ'd.

We may tell thoſe who ſtill contrive the Ruin of the Church, the beſt, and the beſt reformed Church in the Chriſtian World; reformed by that Authority, and with thoſe Circumſtances as a Reformation ought to be made, that God would not miraculouſly have ſnatch'd this Church as a Branch out of the Fire, would not have rais'd it from the Grave, after he had ſuffer'd it to be bury'd ſo many Years, by the boiſterous Hands of profane and ſacrilegious Perſons, under its own Rubbiſh, to expoſe it again to the ſame Rapine, Reproach and Impiety: That Church which delights itſelf in being call'd Catholick, was never ſo near Expiration, never had ſuch a Reſurrection: That ſo ſmall a Pittance of Meal and Oil ſhould be ſufficient to preſerve and nouriſh the poor Widow and her Family ſo long, is very little more miraculous, than ſuch a Number of pious, learned, and very aged Biſhops, ſhould ſo many Years be preſerved in ſuch wonderful Streights and Oppreſſions, until they ſhould plentifully provide for their own Succeſſion: That after ſuch a deep Deluge of Sacrilege, Prophaneneſs and Impiety, had cover'd, and, to common Underſtanding, ſwallow'd it up, that that Church ſhould again appear above the Waters, God be again ſerv'd in that Church, and ſerv'd as he ought to be; and that there ſhould be ſtill ſome Revenue left to ſupport and encourage thoſe who ſerve him; nay, that many of thoſe who ſeem'd to thirſt after that Revenue, 'till they had poſ-

poſſeſs'd it, ſhould conſcienciouſly reſtore what they had taken away, and become good Sons, and willing Tenants to that Church they had ſo lately ſpoil'd, may make us all piouſly believe, that God almighty would not have been at the Expence and Charge of ſuch a Miracle, ſo manifeſted himſelf to us in ſuch a Deliverance, but in behalf of a Church very acceptable to him, and which ſhall continue to the End of the World, and againſt which the Gates of Hell ſhall not be able to prevail.

WE may tell thoſe deſperate Wretches, who yet harbour in their Thoughts wicked Deſigns againſt the ſacred Perſon of the King, in order to the compaſſing their own Imaginations, that God almighty would not have led him thro' ſo many Wilderneſſes of Afflictions of all kinds, conducted him thro' ſo many Perils by Sea, and Perils by Land, ſnatched him out of the midſt of his Kingdom, when it was not worthy of him, when they thought themſelves ſo ſure of him, that they would bid ſo cheap and ſo vile a Price for him; he would not in that Article have ſo cover'd him with a Cloud, that he travail'd even with ſome Pleaſure and great Obſervation through the Midſt of his Enemies; he would not ſo wonderfully have new modelled that Army, ſo inſpir'd their Hearts, and the Hearts of the whole Nation, with an honeſt and impatient Longing for the Return of their dear Sovereign; and in the mean time have ſo exerciſed him (which had

little leſs of Providence in it than the other) with thoſe unnatural, or, at leaſt, unuſual Diſreſpects and Reproaches abroad, that he might have a harmleſs and innocent Appetite to his own Country, and return to his own People with a full Value, and the whole unwaſted Bulk of his Affections, without being corrupted or biaſs'd by extraordinary foreign Obligations. God almighty would not have done all this, but for a Servant whom he will preſerve as the Apple of his own Eye, and always defend from the moſt ſecret Machinations of his Enemies.

* *My Lords and Gentlemen,*

* *From a Speech to both Houſes of Parliament, at their Opening, May 8. 1661.*

I HAVE beſought your good Nature and Indulgence towards ſome of your weak Patients, if by it they can be brought to follow and ſubmit to your Preſcriptions for their Health; nor is it reaſonable to imagine, that the Diſtempers of twenty Years can be rectify'd and ſubdu'd in twelve Months; there muſt be a natural Time, and natural Applications allow'd for it: But there are a ſort of your Patients, that I muſt recommend to your utmoſt Vigilance, utmoſt Severity, and to no Part of your Lenity and Indulgence; ſuch who are ſo far from valuing your Preſcriptions, that they look not upon you as their Phyſicians, but their Patients; ſuch, who, inſtead of repenting any Thing they have done amiſs, repeat every Day the ſame Crimes, for the Indemnity whereof, the Act of Oblivion was provided. Theſe are

ſeditious

ſeditious Preachers, who cannot be contented to be diſpens'd with for their full Obedience to ſome Laws eſtabliſh'd, without reproaching and inveighing againſt thoſe Laws how eſtabliſh'd ſoever; who tell their Auditories, that the Apoſtle meant, when he bid them ſtand to their Liberties, that they ſhould ſtand to their Arms; and who, by repeating the very Expreſſions, and teaching the very Doctrine they ſet on Foot in the Year 1640, ſufficiently declare, that they have no Mind that Twenty Years ſhould put an End to the Miſeries we have undergone.

WHAT good Chriſtian can think without Horror of theſe *Miniſters of the Goſpel*, who, by their Function, ſhould be Meſſengers of Peace, and are in their Practice the only Trumpets of War, and Incendiaries towards Rebellion? How much more Chriſtian was that *Athenian* Nun in *Plutarch*, and how ſhall ſhe riſe up in Judgment againſt theſe Men, who, when *Alcibiades* was condemn'd by the publick Juſtice of the State, and a Decree made, that the Religious, the Prieſts and the Nuns, ſhould revile and curſe him, ſtoutly refus'd to perform that Office, ſaying, *That ſhe was profeſs'd Religious, to pray and to bleſs, not to curſe and ban.* And if the Perſon and Place can improve and aggravate the Offence, as no doubt it doth, before God and Man, methinks the preaching Rebellion and Treaſon out of the Pulpit ſhould be as much worſe than advancing it in the Market; as poiſoning a Man at the Communion

would be worſe than killing him at a Tavern: In fine, if you do not provide for the thorough quenching theſe Firebrands, King, Lords and Commons ſhall be their meaneſt Subjects; and the whole Kingdom kindled into one general Flame.

* *Part of the Lord Chancellor's Anſwer to Sir* Edward Turner, *Speaker of the Houſe of Commons*, May, 10. 1661.

*YOU have made, Mr. Speaker, a very lively Deſcription of the Extravagancy of that Confuſion which the poor Nation groan'd under, when they would throw off a Government, they had liv'd and proſper'd under ſo many Ages, indeed from the Time of being a Nation, and which is as natural to them as their Food or their Raiment, to model a new one for themſelves, which they knew no more how to do, than the naked *Indians* know how to dreſs themſelves in the *French* Faſhion; when (as you ſay) all Ages, Sexes, and Degrees, all Profeſſions and Trades, would become Reformers; when the Common People of *England* would repreſent the Commons of *England*, and abject Men, who could neither write nor read, would make Laws for the Government of the moſt heroick, and moſt learned Nation in the World: And it was the groſſeſt and moſt ridiculous Pageant that great *Impoſtor* ever expos'd to publick View, when he gave up the Nation to be diſpos'd of by a handful of poor mechanick Perſons, who, finding they knew not what to do with it, would (he was ſure) give it back to him again, as they ſhortly did, which made

made his Title compleat to the Government he meant to exerciſe. And, I am perſuaded, that Monſter, *Common-wealth*, coſt this Nation more in the few Years ſhe was begot, born and brought up, and in her Funeral (which was the beſt Expence of all) than the Monarchy has done theſe ſix Hundred Years.

* *My Lords and Gentlemen,*

Machiavel, who, they ſay, is an Author much ſtudied of late in this Kingdom, to extol his own excellent Judgment and Inſight in Hiſtory, in which, indeed, he was a Maſter, would perſuade Men to believe, that the true Reaſon why ſo many unexpected Accidents and Miſchiefs fall out, to the Deſtruction of States and Empires, is, becauſe their Governors have not obſerv'd the ſame Miſchiefs heretofore in Hiſtory, and from whence they proceeded, and what Progreſs they made; which, he ſays, if they had done, they might eaſily have preſerv'd themſelves from Ruin, and prevented the Inconveniences which have fallen out. I am ſure, you are all good Hiſtorians, and need only to reſort to the Records of your own Memories. Remember how your Peace hath been formerly diſturb'd, by what Contrivance and Artifices the People have been alarm'd with unreaſonable and unnatural Fears and Jealouſies, and what diſmal Effects thoſe Fears and Jealouſies have produc'd. Remember how near Monarchy hath been diſſolv'd, and the Law ſubverted,

* *From a Speech to both Houſes of Parliament*, May 19. 1662. *being at the Time prorogu'd.*

under Pretence of reforming and ſupporting Government, Law, and Juſtice: And if we ſuffer the ſame Enemy to break in upon us at the ſame Avenues; if we ſuffer our Peace to be blown up by the ſame Trains and Machinations, we ſhall be held very ill Hiſtorians, and worſe Politicians.

THERE is an Enemy amongſt us, of whom I doubt, we are not jealous enough; and towards whom we cannot be too vigilant; and, in truth, in compariſon of whom, we may reaſonably undervalue all other Enemies; that is, the *Republicans*, the Commonwealths-men, who are every Day calling in Aid of the Law, that they may overthrow and aboliſh the Law, which they know to be their irreconcileable Enemy. Indeed, *My Lords and Gentlemen*, there is a very great Party of thoſe Men in every Faction of Religion, who truly have no Religion, but as the Pretence ſerves to advance that Faction. You cannot be too ſollicitous, too inquiſitive after theſe Men, who are reſtleſs in their Counſels, and wonderfully punctual and induſtrious in their Correſpondencies, which they maintain abroad, as well as at home: And you cannot doubt they have Encouragements enough abroad; few of our Neighbours love us ſo exceedingly well, but they would be glad to ſee us entangled in domeſtick Broils.

TO

TO THE

Right Honourable,

THE

Lords *Spiritual* and *Temporal*,

IN

PARLIAMENT

ASSEMBLED:

THE

Humble PETITION and ADDRESS

OF

Edward Earl of CLARENDON.

May it pleaſe your Lordſhips,

I CANNOT expreſs the inſupportable Trouble and Grief of Mind, I ſuſtain under the Apprehenſions of being miſrepreſented to your Lordſhips; and when I hear how much of your Lordſhip's Time hath been ſpent upon the Men-

Mention of me, as it is attended with more publick Conſequence, and of the difference in Opinion, which hath already, or may probably ariſe betwixt your Lordſhips and the Honourable Houſe of Commons, whereby the great and weighty Affairs of the Kingdom may be obſtructed, in a Time of ſo general Diſſatisfaction. I am very unfortunate to find myſelf under two very diſadvantageous Reflections, which are in no Degree applicable to me.

THE *Firſt*, From the greatneſs of my Eſtate and Fortune, collected and made in ſo few Years; which, if it be proportionable to what is reported, may give reaſonable Cauſe for my Integrity to be ſuſpected.

THE *Second*, That I have been the ſole Manager and Chief Miniſter of all the Tranſactions of State ſince the King's Return into *England*, to *Auguſt* laſt; and therefore that all Miſcarriages and Misfortunes ought to be imputed to me and my Counſels.

Concerning my Eſtate, your Lordſhips will not believe, that after Malice and Envy have been ſo inquiſitive and ſharp-ſighted, I will offer any Thing to your Lordſhips, but what is exactly true: And I do aſſure your Lordſhips in the firſt Place, that (excepting the King's Bounty) I have never receiv'd or taken one Penny, but what was generally underſtood to be the juſt and lawful Perquiſite of my Office, by the conſtant Practice of the beſt Times; which I do, (in my own Judgment) conceive to

be

be that of my Lord *Coventry*, and my Lord *Elſemere*, the Practice of which I conſtantly obſerv'd; altho' the Office in both their Times was, lawfully, worth double than what it was to me, and I do believe now is.

THAT all the Courteſies and Favours which I have been able to obtain from the King, or other Perſons, in Church or State, or *Weſtminſter-Hall*, have never been, to me, worth five Pounds; ſo that your Lordſhips may be confident I am as innocent from Corruption, as from any diſloyal Thoughts; which, after near thirty Years Service of the Crown, in ſome Difficulties and Diſtreſs, I did never expect, would have been objected to me in mine Age. And I aſſure your Lordſhips, and I will make it very manifeſt, that the ſeveral Sums of Money, and ſome Parcels of Land, which his Majeſty hath bountifully beſtow'd upon me ſince his Return into *England*, are worth more than all I have amounts to: So far I am from advancing my Eſtate by indirect Means. And tho' this Bounty of his Majeſty hath very far exceeded my Merits, or my Expectations, yet ſome others have been as fortunate, at leaſt in the ſame Bounty, who had as ſmall Pretences to it, and have no great Reaſon to envy my Condition. I had the good Fortune to ſerve a Maſter of very great Judgment and Underſtanding, and to be always joyn'd with Perſons of great Ability and Experience; without whoſe Advice and Concurrence, never any Thing hath been

been done. Before his Majesty's coming into *England*, he was constantly attended by the Marquis of *Ormond*, the late Lord *Culpeper*, and Mr. Secretary *Nicholas*, who were equally trusted with myself, and without whose joynt Advice and Concurrence, when they were all present, (as some of them always were) I never gave any Counsel.

As soon as it pleas'd God to bring his Majesty into *England*, he establish'd his Privy Council, and, shortly, out of them, a number of honourable Persons of great Reputation, (who, for the most part, are still alive) as a Committee for foreign Affairs, and Consideration of such Things, as the Nature of them require much Secresy: And with these Persons he vouchsafed to joyn me, and I am confident the Committee never transacted any Thing of Moment (his Majesty being always present) without presenting the same to the Council-Board: And I must appeal to them concerning my Carriage, and whether we were not all of one Mind in all Matters of Importance: For more than two Years, I never knew any Difference in the Council, or that there were any Complaints in the Kingdom; which I wholly impute to his Majesty's great Wisdom, and the intire Concurrence of his Council, without the Vanity of assuming any Thing to myself: And therefore, I hope, I shall not be singly charg'd with any Thing that hath since fallen out amiss.

BUT from the Time that Mr. Secretary *Nicholas* was remov'd from his Place, [*which was on the 2d of* October, 1662. *and no more but one Year and four Months ſince the Reſtoration, and the Earl's prime Miniſtry,*] there were great Alterations; and whoſoever knew any Thing of the Court or Council, knew well how much my Credit, ſince that Time, hath been diminiſh'd, (tho' his Majeſty graciouſly vouchſafed ſtill to have my Advice in moſt of his Affairs;) nor hath there been from that Time to this, above one or two Perſons brought into the Council, or preferr'd to any conſiderable Office in the Court, who have been of my intimate Acquaintance, or ſuſpected to have any Kindneſs for me; but moſt of them known to have been very long my Enemies, and of different Judgment and Principles from me, both in Church and State; and who have taken all Opportunities to have leſſen'd my Credit to the King, and with all other Perſons, by miſrepreſenting and miſreporting all that I ſaid or did; and perſuading Men, that I had done them ſome Prejudice with his Majeſty, or croſs'd them in ſome of their Pretences, tho' his Majeſty's Goodneſs and Juſtice was ſuch, that it made little Impreſſion on him.

In my humble Opinion, the great Misfortunes of the Kingdom have proceeded from the War, to which it was notoriouſly known that I was always moſt averſe; and may, without Vanity, ſay, I did not only foreſee, but I did declare

declare the Miſchiefs we ſhould run into by entring into a War before any Alliance with the Neighbour Princes: And that it may not be imputed to his Majeſty's want of Care, or the Negligence of his Counſellors, that no ſuch Alliances were enter'd into; I muſt take the boldneſs to ſay, that his Majeſty left nothing unattempted in order thereunto: And knowing very well that *France* reſolv'd to bring a War upon *Spain*, as ſoon as his Catholick Majeſty ſhould depart this World; which being much ſooner expected by them, they had in the two Winters before been at great Charge in providing plentiful Magazines of all Proviſions upon the Frontiers, that they might be ready for the War: his Majeſty us'd all poſſible Means to prepare and diſpoſe the *Spaniards* with that Apprehenſion, offering his Friendſhip to that Degree, as might be for the Security and Benefit of both Crowns: But *Spain* flattering itſelf, that *France* would not break with them, at leaſt, that they would not give them any Cauſe, by adminiſtring Matter of Jealouſy to them, never made any real Approach towards Friendſhip with his Majeſty, but both by their Ambaſſadors here, and to his Majeſty's Ambaſſadors at *Madrid*, always inſiſted as Preliminaries, upon the giving up of *Dunkirk*, *Tangier*, and *Jamaica*.

BUT *France* had an Ambaſſador here, to whom a Project for a Treaty was offer'd; and the Lord *Hollis*, his Majeſty's Ambaſſador at *Paris*,

Paris, us'd all Endeavours to promote and proſecute this Treaty; yet it was quickly diſcern'd, that the principal Deſign of *France* was to draw his Majeſty into ſuch a nearer Alliance as might advance the Deſign, without which, they had no mind to enter into the Treaty propos'd.

AND this was the ſtate of Affairs, when the War was entred into with the *Dutch*; from which Time, either concern'd themſelves with the making Alliance with *England*.

AS I did, from my Soul, abhor the entring into this War, ſo I never preſum'd to give any Advice or Counſel for the Way of managing it, but by oppoſing any Propoſitions which ſeem'd to the late Lord Treaſurer, and myſelf to be unreaſonable; as the Payment of the Sea-men with Tickets, and many other Particulars which added to the Expence.

MY Enemies took all Occaſions to inveigh againſt me, and making Friendſhip with others, out of the Council of more licentious Principles, as who knew well enough how much I diſlik'd and complain'd of the Liberty they took to themſelves of reviling all Counſel, and Counſellors, and turning all Things ſerious and ſecret into Ridicule: They took all Ways imaginable, to render me ungrateful to all ſorts of Men, (whom I ſhall be compell'd to name in my own Defence) perſuading thoſe that miſcarried in any of their Deſigns, that it was the Chancellor's Doing, whereof I never knew any Thing.

HOWEVER,

HOWEVER, they could not withdraw the King's Favour from me, who was ſtill pleas'd to uſe my Service with others; nor was there ever any Thing done but upon the Joint Advice of at leaſt the Major part of thoſe that were concern'd. And as his Majeſty commanded my Service in the late Treaties, ſo I never gave the leaſt advice in private, nor wrote one Letter to any Perſon in any of thoſe Negotiations, but upon the Advice of the Council; and after it was read in Council, or at leaſt by the King himſelf, and ſome other. And if I prepar'd any Inſtructions or Memorials, it was by the King's Command, and the Requeſt of the Secretarys, who deſir'd my Aſſiſtance: Nor was it any Wiſh of mine own, that any Ambaſſador ſhould give me Account of the Tranſactions; but to the Secretaries, with whom I was always ready to adviſe: Nor am I conſcious to my ſelf of ever having given Advice that hath prov'd miſchievous or inconvenient to his Majeſty: And I have been ſo far from being the Sole Manager of Affairs, that I have not in the whole laſt Year been above twice with his Majeſty in any Room alone, and very ſeldom in the two or three Years preceeding.

AND ſince the Parliament at *Oxford*, it hath been very viſible that my Credit hath been very little, and that very few Things have been harkened unto, which have been propos'd by

by me, but contradicted, *eo nomine*, becauſe propos'd by me.

I moſt humbly beſeech your Lordſhips to remember the Office and Truſt I had for ſeven Years; in which, in Diſcharge of my Duty, I was oblig'd to ſtop and obſtruct many Mens Pretences, and to refuſe to ſet the Seal to many Mens Pardons, and other Grants, which would have been profitable to them which procur'd them; and many whereof, upon my Repreſentation to his Majeſty, were for ever ſtop'd, which naturally have rais'd many Enemies to me.

AND my frequent concurring with the late Lord Treaſurer, with whom I had the Honour to have a long and faſt Friendſhip to his Death, in preſenting ſeveral Exceſſes and Exorbitances, (the Yearly Iſſue ſo far exceeding the Revenue) provok'd many Perſons concern'd, of great Power and Credit, to do me all the ill Offices they could. And yet I may faithfully ſay, that I never meddled with any Part of the Revenue, or the Adminiſtration of it, but when I was deſir'd by the late Lord Treaſurer to give him my Aſſiſtance and Advice, (having had the Honour to ſerve the Crown as Chancellor of the Exchequer) which was for the moſt Part in his Majeſty's Preſence.

NOR have I ever been in the leaſt Degree concern'd in Point of Profit, in the letting any Part of his Majeſty's Revenue; nor have ever treated or debated it, but in his Majeſty's Pre-

rence; in which my Opinion only concur'd always with the Major Part of the Counſellors who were preſent.

All which, upon Examination, will be made manifeſt to your Lordſhips, how much ſoever my Integrity is blaſted by the Malice of thoſe, who, I am confident, do not believe themſelves. Nor have I in my Life, upon all the Treaties, or otherwiſe, received to the Value of one Shilling from all the Kings and Princes in the World, (except the Books of the *Louvre* Print, ſent me by the Chancellor of *France* by that King's Direction) but from my own Maſter, to whoſe entire Service, and to the Good and Welfare of my Country, no Man's Heart was ever more devoted.

This being my preſent Condition, I do moſt humbly beſeech your Lordſhips to retain a favourable Opinion of me, and to believe me to be innocent from thoſe foul Aſperſions, until the contrary ſhall be prov'd; which I am ſure can never be, by any Men worthy to be believ'd. And ſince the Diſtemper of the Time, and the Difference between the two Houſes in the preſent Debate, with the Power and Malice of my Enemies, who give out, that they ſhall prevail with his Majeſty to prorogue or diſſolve this Parliament in Diſpleaſure, and threaten to expoſe me to the Rage

and

and Fury of the People; may make me be look'd upon as the Cauſe which obſtructs the King's Service, and the Unity and Peace of the Kingdom: I muſt humbly beſeech your Lordſhips, that I may not forfeit your Lordſhip's Favour and Protections by withdrawing my ſelf from ſo powerful a Proſecution; in Hopes I may be able, by ſuch withdrawing, hereafter to appear, and make my Defence: When his Majeſty's Juſtice, to which I ſhall always ſubmit, may not be obſtructed nor controuled by the Power and Malice of thoſe who have ſworn my Deſtruction.

The Lord CLARENDON'S *Loyal Dedication of his Survey of* HOBBES'S Leviathan *to King* CHARLES II. *Written after his Baniſhment.*

May it pleaſe your Majeſty,

IT is one of the falſe and evil Doctrines, which Mr. *Hobbes* hath publiſh'd in his *Leviathan*, (p. 114.) *That a baniſhed Subject, during his Baniſhment, is not a Subject. And* (p. 165.)

that a baniſh'd Man is a lawful Enemy of the Commonwealth that baniſh'd him, as being no Member of the ſame. I thank God, from the Time that I found my ſelf under the inſupportable Burden of your Majeſty's Diſpleaſure, and under the infamous brand of Baniſhment, I have not thought my ſelf one Minute abſolv'd in the leaſt Degree from the Obligation of the ſtricteſt Duty to your Perſon, and of the higheſt Gratitude that the moſt oblig'd Servant can ſtand bound in, or from the Affection that a true and faithful *Engliſhman* ſtill owes, and muſt ſtill pay to his Country. And as I have every Day ſince pray'd for the Safety of your Perſon, and the Proſperity of your Affairs, with the ſame Devotion and Integrity as for the Salvation of my own Soul; ſo I have exerciſed my Thoughts in nothing ſo much, as how to ſpend my Time in doing ſomewhat that may prove for your Majeſty's Service and Honour. And therefore as ſoon as I had finiſh'd (as far as I am able, without the Supply of thoſe Memorials and Records which are fit to be enquir'd into) a Work at leaſt recommended, if not enjoyn'd to me by your bleſſed Father, and approv'd, and in ſome Degree perus'd by your Majeſty, (which I hope will be to the Honour of his Majeſty's Memory, and your own Magnanimous Sufferings) I could not think of any thing in my Power to perform of more Importance to your Majeſty's Service, than to anſwer Mr. *Hobbs*'s *Leviathan*, and confute the Doctrine

Doctrine therein contain'd, ſo pernicious to the Sovereign Power of Kings, and deſtructive to the Affection and Allegiance of Subjects; notwithſtanding which by the Protection the Author hath from the Act of Indempnity, and I know not what other Connivance, it is manifeſt enough, that many odious Opinions, the Seed whereof was firſt ſowed in that Book, have been ſince propagated, to the extreme Scandal of the Government in Church and State.

I have often heretofore, when I had Liberty for that Preſumption, advertis'd your Majeſty, of the Wickedneſs of very many of the Principles upon which that whole Book is ſupported, and was not without ſome Hope of prevailing with your Majeſty to give your ſelf the Leaſure, and the Trouble, to peruſe and examine ſome Parts of it, in Confidence that they would not ſooner be read, than deteſted by you; whereas the frequent reciting of looſe and disjoynted Sentences, and bold Inferences, for the Novelty and Pleaſantneſs of the Expreſſions, the Reputation of the Gentleman for Parts and Learning, with his Confidence in Converſation, and eſpecially the Humour and Inclination of the Time to all kind of Paradoxes, have too much prevail'd with many of great Wit and Faculties, without reading the Context, or obſervation of the Conſequences, to believe his Propoſitions to be more innocent, or leſs miſchievous, than upon a more deliberate Peruſal they will

find to be; and the Love of his Perſon and Company have render'd the Iniquity of his Principles leſs diſcernible.

Mr. *Hobbes* conſulted too few Authors, and made Uſe of too few Books; the Benefit of which my preſent Condition has alſo depriv'd me of; altho the want, which I moſt complain of, is of Friends to examine and controul, upon the reading any Impropriety or Indecency in my Expreſſions, or Defect of Vigor in my Ratiocination; towards the Weighing whereof I have had little Contribution. However, I preſume to think, that the Antidote, how weak ſpirited ſoever, is ſeaſonable to be adminiſtred, to expel or allay the Poiſon that is ſtill working very furiouſly. And if I know any Thing of the Conſtitution of the Government of *England*, and of the Nature and Temper of that faithful Nation, the publiſhing of this poor Diſcourſe may be of ſome Uſe and Service to your Majeſty; that all the World may know, how much you abhor all thoſe extravagant and abſurd Privileges, which no Chriſtian Prince ever enjoy'd or affected. The Conſideration of this only hath diſpos'd me to expoſe my ſelf to the Licence of the Tongues and Pens of all thoſe, who will never be without Inclinations rather to inſult upon my Fortune, and to reproach my Perſon, than to pity my Weakneſs, or rectify my Underſtanding.

If the prefixing your Majeſty's Name before it, as if you would countenance ſo diſgrac'd and degraded

degraded a Perſon, or give any Protection to a Work of which he is the Author, does not find your Majeſty's Approbation; I have appointed that Preſumption to be declin'd, being ſtedfaſtly reſolv'd, by God's Bleſſing never to diſpleaſe you whilſt I live, or after I am Dead; and retaining ſtill a Hope, with ſome Confidence (which ſuſtains my weak decayed Spirits) that your Majeſty will at ſome Time call to your Remembrance, my long and incorrupted Fidelity to your Perſon, and Service; and that tho' I am for the preſent depriv'd of that moſt valued and precious Relation, your Majeſty will not be offended, that I aſſume the Title of being,

Your *MAJESTY'S*

Moſt Faithful and Obedient Subject,

And one of the oldeſt Servants

Moulins, *May* 10. 1673.

that is now living, to your Father

and your ſelf,

CLARENDON.

A

LETTER

FROM THE

Earl of CLARENDON,

TO THE

DUKE of *YORK*.

SIR,

I HAVE not presum'd in any manner to approach your Presence, since I have been marked with the Brand of Banishment; and I should still, with the same Awe, forbear this Presumption, if I did not believe myself bound, by all the Obligations of Duty, to make this Address to you.

I have been too much acquainted with the Presumption and Impudence of the Times, in raising

raiſing falſe and ſcandalous Imputations and Reproaches upon innocent and worthy Perſons of all Qualities and Degrees, to give any Credit to thoſe bold Whiſpers which have been long ſcatter'd abroad, concerning your Wife's being ſhaken in her Religion; but when thoſe Whiſpers break out into a Noiſe, and publick Perſons begin to report, that the Dutcheſs was become a Roman Catholick; and when I heard that many worthy Perſons, of moſt unqueſtionable Devotion to your Royal Highneſs, are not without ſome Fears and Apprehenſions of it; and that many Reflections are made from thence, to the Prejudice of your Royal Highneſs's Perſon, and even of the King's Majeſty: I beg it may not miſs-become me, at what diſtance ſoever, to caſt myſelf at your Feet, and to beſeech you to look to this Matter in Time, and to apply ſome Antidote to expel the Poyſon of it.

It is not poſſible that your Royal Highneſs can be without Zeal and entire Devotion for that Church, for the Purity and Preſervation whereof, your Royal Father made himſelf a Sacrifice; and to the Reſtoration of which, you have contributed ſo much yourſelf; and which highly deſerves the King's Protection and yours, ſince there can be no poſſible Defection in the Hearts of the People, whilſt due Reverence is paid to the Church. Your Wife is ſo generally believ'd to have ſo perfect Duty, and entire Reſignation to the Will of your Royal Highneſs, that any Defection in her

from

from her Religion will be imputed to want of Circumſpection in you, or not uſing your Authority, or to your Connivance. I need not tell you the ill Conſequence that ſuch a Mutation would be attended with, in relation to your Royal Highneſs, and even to the King himſelf; whoſe greateſt Security (under God) is in the Affections and Duty of his Proteſtant Subjects. Your Royal Highneſs well knows, how far I have always been from wiſhing that the Roman Catholicks ſhould be proſecuted with Severity; but I leſs wiſh it ſhould ever be in their Power to be able to proſecute thoſe who differ from them, ſince we well know how little Moderation they would, or could uſe. And if that, which People ſo much talk of (I hope without Ground) ſhould fall out, it muſt very probably raiſe a greater Storm againſt the Roman Catholicks in general, than moderate Men could wiſh; ſince after ſuch a Breach, any Jealouſy of their Preſumption would ſeem reaſonable.

I have wrote to the Dutcheſs with the Freedom and Affection of a troubled and perplexed Father; and do moſt humbly beſeech your Royal Highneſs, by your Authority, to reſcue her from bringing Miſchief on you and yours, that can never be repair'd; and to think it worthy your Wiſdom to remove and diſpel thoſe Reproaches (how falſe ſoever) by better Evidence than Contempt. And I hope you do believe, that no Severity that I have, or can undergo,

undergo, ſhall in any Degree leſſen or diminiſh my moſt profound Duty to his Majeſty or your Royal Highneſs; but that I do with all imaginable Obedience, ſubmit to your good Pleaſure in all Things.

God preſerve your Royal Highneſs and keep me in your Favour,

SIR,

Your Royal Highneſs's moſt Humble,

and moſt Obedient Servant.

CLARENDON.

A LETTER *from the Earl of* Clarendon *to the Dutcheſs of* YORK.

Daughter,

YOU have much Reaſon to believe, that I have no Mind to trouble you, or diſpleaſe you; eſpecially in an Argument that is ſo unpleaſant and grievous to myſelf. But as no diſtance of Place, that is between us in reſpect of your Reſidence, or the greater Diſtance in reſpect to the high Condition you are in, can make me leſs your Father, or abſolve me from performing thoſe Obligations, which that Relation requires from me; ſo, when I receive any credible Advertiſement of what reflects upon you,

in

in Point of Conſcience, Honour or Diſcretion, I ought not to omit the informing you of it, or adminiſtring ſuch Advice to you, as to my Underſtanding ſeems reaſonable; and which I muſt ſtill hope, will have ſome Credit with you. I will confeſs to you, that what you wrote to me many Months ſince, upon thoſe Reproaches, which I told you were generally reported, concerning your Defection in Religion, gave me ſo much Satisfaction, that I believed them to proceed from that ill Spirit of the Time, which delights in Slanders and Calumnies: But I muſt tell you, the ſame Report increaſes of late very much, and I myſelf ſaw a Letter the laſt Week from *Paris*, from a Perſon who ſaid, the *Engliſh* Ambaſſador aſſur'd him the Day before, that the Dutcheſs was become a Roman Catholick; and which makes greater Impreſſion upon me, I am aſſur'd, that many good Men in *England*, who have great Affection for you and me, and who have thought nothing more impoſſible, than ſuch a Change in you, are at preſent, under much Affliction, with the Obſervation of a great Change in you, in your Courſe of Life, and that conſtant Exerciſe of your Devotion, which was ſo notorious; and do apprehend from your frequent Diſcourſes, that you have not the ſame Veneration, which you us'd to have, for the Church of *England*; the Church in which you were baptiz'd, and a Church the beſt conſtituted and moſt free from Error of any Chriſtian Church this Day in the World;

World; and that ſome Perſons, by their Inſinuations, have prevail'd with you to have a better Opinion of that, which is moſt oppoſite to it, the Church of *Rome*, than the Integrity of it deſerves. It is not in my Power to believe that your Will and Underſtanding (with God's Bleſſing upon both) can ſuffer you to be ſhaken, further than with melancholy Reflections upon the Iniquity and Wickedneſs of the Age we live in; which diſcredits all Religion, and which, with equal Licence, breaks into the Profeſſions of all, and prevails upon the Members of all Churches, and whoſe Manners will have no Benefit from the Faith of any Church.

I preſume you do not intangle yourſelf in the particular Controverſies between us and *Rome*, or think yourſelf a competent Judge of all the Difficulties, which occur therein. And therefore it muſt be ſome fallacious Argument of the Antiquity and Univerſality (conſtantly urged by Men who know leſs than many of thoſe you were acquainted with, and ought leſs to be believ'd by you) that can raiſe any Doubts or Scruples in you. If you will with equal Temper hear thoſe, who are able to inform you in all ſuch Particulars, it is not poſſible for you to ſuck in that Poyſon, which can only corrupt and prevail over you, by ſtopping your own Ears, and ſhutting your own Eyes. There are but two Perſons in the World, who have greater Authority with you, than I can pretend to; and they, I am ſure, ſuffer more in this Rumour,

and

and would ſuffer much more, if there were ground for it, than I can do: And truly I am as unlike to be deceiv'd myſelf or to deceive you, as any Man, who endeavours to pervert you in your Religion. And therefore, I beſeech you, let me have ſo much Credit with you, as to perſuade you to communicate any Doubts or Scruples, which occur to you, before you ſuffer them to make too deep an Impreſſion upon you.

THE common Argument, That there is no Salvation out of the Church, and that the Church of *Rome* is that only true Church, is both irrational and untrue. There are many Churches in which Salvation may be attained; and there were many even in the Apoſtles Times, otherwiſe they would not have directed their Epiſtles to ſo many ſeveral Churches, in which there were different Opinions receiv'd, and very different Doctrines taught. There is indeed but one Faith, in the which we can be ſaved, the ſtedfaſt Belief of the Birth, Paſſion and Reſurrection of our Saviour, and every Church, that receives and embraces that Faith, is in a State of Salvation. If the Apoſtles preach true Doctrine, the Reception and Retention of many Errors do not deſtroy the Eſſence of a Church: If it did, the Church of *Rome* would be in an ill (if not worſe) Condition than moſt other Chriſtian Churches; becauſe its Errors are of a greater Magnitude, and more deſtructive to Religion. Let not the canting Diſcourſe of the Univerſality and Extent of that Church (which has

has as little of Truth as the reſt) prevail with you. They, who will imitate the greateſt Part of the World, muſt turn Heathens; for it is generally believ'd, above half the World is poſſeſs'd by them; and that the *Mahometans* poſſeſs above half of the Remainder; and there is little queſtion, that of the reſt which is inhabited by Chriſtians, one Part of four is not of the Communion of the Church of *Rome*; and, God knows, in that very Communion there is as great a Diſcord in Opinion, and in Matters of as great Moment as is between any other Chriſtians.

I hear, you do in publick Diſcourſes diſlike ſome Things in the Church of *England*, as the Marriage of the Clergy, which is a Point that the *Roman* Catholicks will not pretend to be of the Eſſence of Religion, and is in Uſe in many Places, which are of the Communion of the Church of *Rome*; as in *Bohemia*, and thoſe Parts of the *Greek* Church, which ſubmit to the *Roman*; and all Men know, that in the late Council of *Trent*, the Sacrament in both kinds, and Liberty for the Clergy to marry, were very paſſionately preſs'd both by the Emperor and the King of *France* for their Dominions, and it was afterwards granted to *Germany*, tho' under ſuch Conditions as made it ineffectual. Which, however, ſhews, that it was not, nor ever can be looked on as Matter of Religion. Chriſtianity was many hundred Years old, before ſuch a Reſtraint was ever heard of

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in the Church, and when it was endeavour'd, it met with great Oppoſition, and was never ſubmitted to. And as the poſitive Inhibition ſeems abſolutely unlawful; ſo the Inconveniences that reſult from thence, will, upon a juſt Diſquiſition, be found ſuperior to thoſe which attend that Liberty, which Chriſtian Religion permits.

THOSE Arguments which are not ſtrong enough to draw Perſons from the *Roman* Communion, to that of the Church of *England*, (when Cuſtom, Education and a long ſtupid Reſignation of all their Faculties to their Teachers, uſually ſhut out all Reaſons to the contrary) may yet be abundantly able to retain thoſe who have been baptiz'd, bred and inſtructed in the Grounds and Principles of that Religion, which are, in Truth, not only founded upon the clear Authority of Scripture, but upon the conſent of Antiquity, and the Practice of the Primitive Church: And Men, who look into Antiquity, know well by what Corruption and Violence, and with what conſtant and continual Oppoſitions thoſe Opinions, which are contrary to ours, crept into the World; and how unwarrantably the Authority of the Biſhop of *Rome*, (which alone ſupports all the reſt,) came to prevail, who hath no more Pretence of Authority and Power in *England*, than the Biſhop of *Paris* or *Toledo* can reaſonably lay claim to: And is ſo far from being Matter of Catholick Religion, that the Pope hath

ſo much and no more to do in *France* or *Spain*, or any other Catholick Dominions, than the Crown, Laws and Conſtitutions of the ſeveral Kingdoms give him leave; which makes him ſo little, if at all, conſider'd in *France*, and ſo much in *Spain*. And therefore the *Engliſh* Catholicks, who attribute ſo much to him, make themſelves very unwarrantably of another Religion, than the Catholick Church profeſſeth, and without doubt, they who deſert the Church of *England*, of which they are Members, and become thereby diſobedient to the Eccleſiaſtical and Civil Laws of their Country, and therein renounce their Subjection to the State, as well as to the Church (which are grievous Sins) had need of a better Excuſe, than the meeting with ſome Doubt, which they could not anſwer; and leſs than a manifeſt Evidence, that their Salvation is deſperate in that Communion, cannot ſerve their Turns. And they, who imagine they have ſuch an Evidence, ought rather to ſuſpect, that their Underſtanding hath forſaken them, and that they are become mad, than that the Church, which is repleniſht with all Learning and Piety requiſite, can betray them into Perdition.

I beſeech you to conſider, (which, I hope, will over-rule all thoſe Ordinary Doubts and Objections, which may be infuſed into you) that if you change your Religion, you renounce all Obedience and Affection to your Father, who loves you ſo tenderly, that ſuch an odious

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Mutation would break his Heart. You condemn your Father and your Mother, (whose incomparable Virtue and Piety, and Devotion hath placed her in Heaven) for having impiously educated you; and you declare the Church and State, to both which you owe Reverence and Subjection, to be, in your Judgment, Antichristian. You bring irreparable Dishonour, Scandal and Prejudice to the Duke your Husband, to whom you ought to pay all imaginable Duty; and who, I presume, is much more precious to you than your own Life; and all possible Ruin to your Children, of whose Company and Conversation you must look to be deprived: For, God forbid, that after such an Apostacy, you should have any Power in the Education of your Children. You have many Enemies, whom you will herein abundantly gratify; and some Friends, whom you will thereby (at least as far as in you lies) perfectly destroy; and afflict many others, who have deserved well of you.

I KNOW, you are not inclin'd to any Part of this Mischief; and therefore I offer these Considerations, as all those Particulars would be the infallible Consequence of such a Conclusion. It is to me the saddest Circumstance of my Banishment, that I may not be admitted in such a Season as this, to confer with you; when, I am confident, I could satisfy you in all your Doubts, and make it appear to you, that there are many Absurdities in the *Roman* Catholick Religion,

Religion, inconſiſtent with your Judgment and Underſtanding, and many Impieties inconſiſtent with your Conſcience: So that before you can ſubmit to the Obligations of that Church, you muſt diveſt yourſelf of your natural Reaſon and common Senſe; and captivate the Dictates of your own Conſcience, to the Impoſition of an Authority, which hath not any Pretence to oblige or adviſe you.

If you will not with Freedom communicate your Doubts, which do occur, to thoſe near you; of whoſe Learning and Piety, you have had very great Experience; let me conjure you, by all the Power of a tender and afflicted Father, to impart them to me, and to expect my Anſwer before you ſuffer them to prevail over you.

God bleſs you and yours.

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